

No. 10450

United States
Circuit Court of Appeals
For the Ninth Circuit.

HARRY BRIDGES,

Appellant,

vs.

**I. F. WIXON, as District Director, Immigration
and Naturalization Service, Department of
Justice,**

Appellee.

Transcript of Record

VOLUME XII

Pages 5285 to 5753

**Upon Appeal from the District Court of the United States
for the Northern District of California,
Northern Division**

Court Room 276,
Federal Building,
San Francisco, California,
May 22, 1941.

Met, pursuant to adjournment, at 10:00 A. M.
[4840]

PROCEEDINGS

Mr. Gladstein: If your Honor please, I would like to recall Mr. Henry Schmidt for a brief questioning on a matter which was brought up on cross examination of the witness.

Take the stand please.

HENRY A. SCHMIDT

called as witness on behalf of the Alien, having been previously duly sworn, testified further as follows:

Re-Direct Examination

By Mr. Gladstein:

Q. Mr. Schmidt, when you were on the stand earlier in this case you testified in substance that you had never written any articles for the People's World. You were shown an article which purported to be written by you appearing in the issue, I think, of April 7, 1938, of the People's World. Since leaving the witness stand have you made a check-up to determine how that article happened to appear in the People's World?

Mr. Del Guercio: Now, I will object to this question, your Honor, as having all been gone into, asked and answered.

Presiding Inspector: I think, for the sake of

(Testimony of Henry A. Schmidt.)

showing the truth, if Mr. Schmidt has refreshed his recollection by other matters that weren't before him at that time, I will allow this evidence.

Mr. Myron: Is this a case of changing his testimony?

Mr. Gladstein: No; it is a case of substantiating his [4841] testimony.

Presiding Inspector: I will take it whichever way it is.

By Mr. Gladstein:

Q. What is the answer to the question?

A. Yes, I have.

Q. Now, on that check-up what have you discovered with respect to the article?

Mr. Del Guercio: I will object.

Presiding Inspector: With respect to its publication?

Mr. Gladstein: Yes.

A. Our Union has for years issued a weekly mimeographed bulletin, which is written, sometimes by myself and sometimes by the regularly elected publicity man, and I checked records of the middle of the year and prior to that time, of 1938, and I found a bulletin dated March 30, 1938, which has exactly the same article that was shown me in the People's World. That bulletin is dated March 30, The same article appears in the Voice of the Federation, that is, the following day, which would be March 31, 1938. There is one portion of the bulletin which is not reproduced in the Voice of the Federa-

(Testimony of Henry A. Schmidt.)

tion, and I don't think it is reproduced in the People's World that was shown me here.

Q. What is the Voice of the Federation to which you have referred?

A. The Voice of the Federation is the official organ of the Maritime Federation of the Pacific.

[4842]

Mr. Del Guercio: Are you calling my attention to this place that you have marked here?

Mr. Gladstein: Yes, the one that begins "Rising like a monolith."

Mr. Reporter, do you have the People's World issue that is in evidence, or is it for identification?

Mr. Del Guercio: It is in evidence.

Presiding Inspector: It is in evidence.

The Reporter: Government's Exhibit 274.

By Mr. Gladstein:

Q. Now, Mr. Schmidt, you made reference in your testimony just now to a bulletin of the ILWU. I show you such a bulletin with the heading "ILWU, Local 1-10, Bulletin CIO No. 27", date "Wednesday, March 30, 1938", purporting to have been put out by the ILWU Publicity Committee, Local 1-10 at 27 Clay Street, San Francisco, and ask you if this is a bulletin to which you made reference. A. It is.

Q. And the article to which you made reference, is it the one which begins at the fourth paragraph with the initial words "Company town" and the opening sentence "Rising like a monolith besides the yellow swirling tides of the Carquinez Straits"?

A. That's it.

Mr. Gladstein: I offer this in evidence. [4843]

(Testimony of Henry A. Schmidt.)

Mr. Del Guercio: I object to its introduction in evidence as not tending to either confirm or to contradict any previous testimony given by this witness.

Presiding Inspector: I will take it for what it is worth.

Mr. Del Guercio: And it is no comparison at all with the article.

Presiding Inspector: Well, we will leave that for argument in the briefs. I will take the article. I can't stop to examine every word.

Mr. Gladstein: May we have the right, your Honor, to have the stenographic reporter make a photostat of that bulletin and substitute it for the original, and we can withdraw the original?

Presiding Inspector: Yes, that is the general practice.

(The bulletin referred to was received in evidence and marked Alien's Exhibit No. 26.)

By Mr. Gladstein:

Q. Now, Mr. Schmidt, you made reference to an issue of the Voice of the Federation under date of March 31, 1938. I show you what purports to be that issue and ask you if this is the issue to which you made reference in the testimony given by you a few moments ago. A. It is the same.

Q. Now, I call your attention to an article which appears in column seven on the front page under the headline [4844] "Sugar Union Melts When CIO Strikes", purporting to be written by Henry Schmidt, and beginning "Rising like a

(Testimony of Henry A. Schmidt.)

monolith besides the yellow swirling tides" and so forth. Is that the same article?

A. That's the same article that appears in a bulletin of the day before.

Mr. Gladstein: I offer this in evidence.

Mr. Del Guercio: I object on the same ground.

Presiding Inspector: I will take it. We will have the privilege of reading that extraordinary sentence in three different publications.

(The bulletin referred to was received in evidence and marked Alien's Exhibit No. 27.)

By Mr. Gladstein:

Q. Did you ever, Mr. Schmidt, have any communications with anybody with respect to the publication or reprinting of the article in the ILWU bulletin, the one which is reprinted in the Voice of the Federation for reprinting or republication in the People's World on April 7th?

A. No. On April 7th I was out of town and I had been gone from San Francisco for four or five days.

Q. Where were you on April 7th, 1938?

A. In Aberdeen, Washington. [4845]

Q. For what purpose?

A. To attend the annual convention of the ILWU.

Q. Do you recall when you left San Francisco to attend that convention?

A. The convention opened on the morning of the 4th which, according to the calendar that I

(Testimony of Henry A. Schmidt.)

checked was a Monday, and I couldn't have left later than the Saturday morning prior to that which would be the 2nd.

Q. Of April? A. Right.

Q. Have you checked the official proceedings—withdraw that. Were you present on the day that the convention opened on April 4, 1938?

A. I was.

Q. Have you checked the official proceedings to see whether your name appears as answering in the affirmative when the roll call was made?

A. Yes; I answered as being present.

Q. Have you checked the proceedings to see whether you were present and active in the convention on the following day, April 5th?

A. Yes. I believe my name appears on one of the pages as having said something.

(Whereupon Mr. Gladstein handed the convention proceedings referred to to Mr. Del Guercio.) [4846]

Presiding Inspector: Is there any question about his being there? We haven't had any testimony about it.

Mr. Del Guercio: There has been no previous testimony.

By Mr. Gladstein:

Q. Then I will ask this question: Have you checked the official reports—withdraw that. Were you present at the convention from the opening

(Testimony of Henry A. Schmidt.)

day in Aberdeen, that is to say, from April 4th through April the 8th or thereafter?

A. I was there every day until the last day.

Mr. Gladstein: That is all.

Presiding Inspector: Cross examination.

Recross Examination

By Mr. Del Guercio:

Q. Have you, Mr. Schmidt, checked on the truth or falsity of any other testimony that you previously gave in this hearing?

Mr. Gladstein: I object to that as argumentative and improper.

Presiding Inspector: Yes, but I think——

Mr. Del Guercio (Interposing): On the contrary——

Presiding Inspector: Just a minute. Let me rule. I think I will allow it.

A. I don't quite understand you.

Mr. Del Guercio: Read the question.

(The question referred to was read by the reporter as above recorded.) [4847]

Presiding Inspector: I don't take any implication in that.

Mr. Gladstein: All right, your Honor.

Presiding Inspector: It is just a question as to what he has done, considering and reconsidering his testimony and making a check of it.

A. No.

(Testimony of Henry A. Schmidt.)

By Mr. Del Guercio:

Q. Do you recall the date on which you appeared here to first testify?

A. You mean the day of the week or the day of the month?

Q. The day of the month or the day of the week, either.

A. No, I really don't.

Q. Have you no recollection?

A. Well, you see, I was in here several times before I testified. I didn't make any effort to keep track exactly.

Q. Did you, the day before you appeared here to testify, make a speech on behalf of the American Peace Mobilization Plan?

Mr. Gladstein: I didn't hear that.

Mr. Del Guercio: American Peace Mobilization.

Mr. Gladstein: I didn't hear the question. I heard the last part of it.

Presiding Inspector: Did you, the day before you testified here, make a speech on the American Peace Mobilization Plan? I think that was the question.

Mr. Del Guercio: American Peace Mobilization.

[4848]

A. No, I don't think so.

By Mr. Del Guercio:

Q. You mean you have no recollection?

A. Well, I recall that I was advertised as a speaker last week, or the week before, somewhere on

(Testimony of Henry A. Schmidt.)

the waterfront, but I didn't speak. If that is what you have in mind—I don't know.

Q. Would you say that you did not speak, Mr. Schmidt, last week on behalf of the American Peace Mobilization?

A. I don't think I did.

Mr. Del Guercio: If the Court please, this hasn't been so very long ago and I think we are entitled to a "Yes" or "No" answer from this witness.

Presiding Inspector: You may press him on that.

By Mr. Del Guercio:

Q. Can you answer "Yes" or "No" as to whether you did or did not speak on the American Peace Mobilization?

Mr. Gladstein: I move the question be required to be made more definite as to place, date and city.

Presiding Inspector: It is too recent.

Mr. Del Guercio: I will give the date—on May 13, 1941, at Pier 42. Maybe that will refresh your memory.

A. I did not speak.

By Mr. Del Guercio:

Q. Having been advertised up and down the waterfront there by sound trucks? [4849]

A. Yes; I didn't speak.

Q. You did not speak?

A. That is right.

Q. You were not present at the time?

(Testimony of Henry A. Schmidt.)

A. No, sir; I was in this court room.

Q. On May 13, 1941? A. Yes.

Q. And did you see Walter Stack on that day?

A. No; I am sure I didn't.

Q. Do you know if you were introduced as a speaker on that date from a truck on the waterfront?

A. I have no way of knowing. I wasn't near there.

Q. You mean you don't have any recollection?

A. I have no way of knowing. I was uptown.

Q. Now, this Voice of the Federation, Alien's Exhibit 27, who are the editors of it?

A. You mean at the present time?

Q. At the time this was issued, on March 31, 1938?

Mr. Gladstein: I object to that as immaterial.

Presiding Inspector: I will take it. I don't see it's materiality.

A. I believe it was—

Presiding Inspector: It is background.

A. (Continuing): I think O'Neil was the editor at that time.

By Mr. Del Guercio: [4850]

Q. Jim O'Neil? A. Yes.

Q. And anyone else—were there co-editors or associate editors?

A. There was the so-called Executive Board, or Executive Committee, I believe.

Q. And I call your attention here to page 4 of this issue—

(Testimony of Henry A. Schmidt.)

Mr. Gladstein (Interposing): May I see what you are calling his attention to?

(The newspaper referred to was passed to Mr. Gladstein.)

By Mr. Del Guercio:

Q. That is the same James O'Neil who appeared here at this hearing to testify?

Mr. Gladstein: What is the question, please?

Presiding Inspector: If that is the same James O'Neil that appeared here to testify.

A. Yes. [4851]

By Mr. Del Guercio:

Q. I call your attention here to page 4 of this issue under "Editorial and Executive Board". Do you know any of the people that are mentioned under it? For instance, J. W. Engstrom, President?

A. Yes.

Q. Huh? A. Yes.

Q. Is J. W. Engstrom a Communist?

A. I don't know.

Q. You have no information about him?

A. No.

Q. Is—

Mr. Gladstein (Interposing): I might mention that he testified for the Government in the last case two years ago, your Honor. That is a matter of record.

Mr. Del Guercio: In which he admitted that he was a Communist?

Mr. Gladstein: I didn't say that. I say he testified for the Government in that case.

(Testimony of Henry A. Schmidt.)

By Mr. Del Guercio:

Q. Now, I also notice the name of Z. R. Brown. Is that the same Z. R. Brown that you have mentioned in your testimony?

A. It must have been the same man. I don't know of any- [4852] body else by that name.

Q. Is that the same Z. R. Brown who was at that time a member of the Communist Party?

A. I have no way of knowing.

Q. Now, I also notice the name of John Schomaker. Is that the same John Schomaker that you have mentioned in your testimony?

A. The same man.

Q. Do you know him to be a member of the Communist Party?

A. No, sir. I never bothered to inquire about it. Presiding Inspector: I didn't hear the answer.

The Reporter: "No, sir. I never bothered to inquire about it".

By Mr. Del Guercio:

Q. Did you ever bother to inquire about the Communist affiliations of anybody in your union?

A. No.

Q. Of Harry Bridges? A. No.

Q. Did you ever ask Harry Bridges if he was a member of the Communist Party? A. No.

Q. Did you ever tell Harry Bridges whether or not you were a member of the Communist Party?

[4853]

A. No.

(Testimony of Henry A. Schmidt.)

Q. Did you ever deny to Harry Bridges that you were a member of the Communist Party?

A. No recollection of him ever asking me.

Q. The question of whether or not there were members of the Communist Party in your Union has been brought up time and time again, has it not?

Mr. Gladstein: I will object to that as immaterial and improper cross examination.

Presiding Inspector: I don't see that that is very material. You mean brought up officially?

Mr. Del Guercio: Officially, yes, sir; and otherwise in his union. The witness here says that he has never bothered with it.

Presiding Inspector: I will allow that.

The Witness: Will you read the question back, please?

(The question referred to was read by the reporter as above recorded.)

A. Well, the word is frequently used, but it is considered a big joke and it would be usually unofficially. Officially, very seldom.

By Mr. Del Guercio:

Q. Didn't you consider that a matter of public interest as to whether or not your Union was controlled and dominated by Communists?

A. Well, I don't know how to answer that. As I said [4854] before, the matter is considered a huge joke.

(Testimony of Henry A. Schmidt.)

Q. Well, do you think it is a huge joke for a person to be accused of being a Communist?

A. No, I don't think so. But I am trying to explain how the thing is looked upon in our Union. It's just—in the course of years people have been called this, that and the other thing in the newspapers and by word of mouth. You develop a habit of paying no attention to it.

Q. Now, the question of whether or not there were Communists in your Union has been discussed in the papers also, for a long period of time, has it not? A. Oh, yes.

Q. And you never bothered to determine who were and who were not Communists in your Union?

A. That's right; yes, sir.

Q. And you are the President of the Union?

A. That's right.

Q. You claim to be a labor leader?

A. Well, I'm not boasting about it.

Q. What? A. I'm not boasting about it.

Q. You are not? Are you proud of it?

A. Not necessarily. It has caused me a lot of hard work.

Q. Do you consider your Union a typical American Union?

A. Well, I think we have done a pretty good job. [4855]

Q. You know that Communists are controlled and dominated by a foreign power, don't you?

A. I have often read that and often heard it, but I have no direct knowledge.

(Testimony of Henry A. Schmidt.)

Q. You have never bothered to inquire?

A. That's right.

Q. Now, did you write both articles that appear, the one that appears in this Voice of the Federation and the other that appears in the People's World?

Mr. Gladstein: What is the question?

A. I don't know how to answer that. I wrote the article.

By Mr. Del Guercio:

Q. Well, are they same articles?

A. They certainly read the same.

Q. Are they identical?

A. Well, I didn't bother to proof-read it, if that's what you mean.

Q. Didn't you check them?

A. Well, I didn't have a copy of the People's World to check against the—

Q. (Interposing): Are they headed the same?

A. The heading might be different.

Q. Do they start out the same way?

Mr. Gladstein: Do you mean the article or the headline? [4856] A. Yes.

Mr. Del Guercio: The article and the headline.

Mr. Gladstein: Which is it? The article or the headline?

Mr. Del Guercio: I am asking the question.

Mr. Gladstein: Then the question is compound and I object to it.

Presiding Inspector: One by one. Are the headlines the same?

(Testimony of Henry A. Schmidt.)

The Witness: Do you mean the headlines as compared—

—Presiding Inspector (Interposing): In these two publications.

The Witness (Continuing): —as compared with the Voice of the Federation and the People's World that you showed me the other day?

By Mr. Del Guercio:

Q. Yes.

A. Right now I don't recall what the headlines were in the People's World.

Q. How much check did you make? You said you made a check on it.

A. I didn't bother to get another copy of the People's World. I just looked into our files, if we had a Voice—and if we had a Bulletin. As I recall—

Q. (Interposing): The article that appeared in the Voice of the Federation, to which you testified about and which you testified you wrote, is headed "Roth's Move Falls Flat in Dock [4857] Plot", and the article in the People's World is headed "In Spite of Terror, Sugar Mill-Owners, Stick-Up Man Kennedy—Crockett Workers Build Union".

Presiding Inspector: It sound like a telegram.

By Mr. Del Guercio:

Q. Did that apply to the same article?

A. The heading?

Mr. Gladstein: Just a moment. Let the witness answer.

(Testimony of Henry A. Schmidt.)

Mr. Del Guercio: Are you making an objection?

Mr. Gladstein: I am.

Presiding Inspector: He is.

Mr. Gladstein: My objection is that counsel is not permitting the witness to answer. He started to answer the question.

Presiding Inspector: You may answer the question.

By Mr. Del Guercio:

Q. If you had any recollection.

Mr. Gladstein: I move that that be stricken.

Mr. Del Guercio: Your Honor, the witness has continually said that he didn't have a recollection.

Mr. Gladstein: I move that that also be stricken as improper.

Presiding Inspector: Yes. Let us have the question answered.

The Witness: Is your question still the same?

(The question referred to was read by the reporter [4858] as above recorded.)

The Witness: There must have been a question just before that.

(The question referred to was read by the reporter as follows:

"Q. The article that appeared in the Voice of the Federation, to which you testified about and which you testified you wrote, is headed "Roth's Move Falls Flat in Dock Plot", and the article in the People's World is headed "In Spite of Terror, Sugar Mill-Owners, Stick-

(Testimony of Henry A. Schmidt.)

Up Man Kennedy—Crockett Workers Build Union".)

Mr. Gladstein: I think the question is very ambiguous, your Honor.

Presiding Inspector: I don't quite understand it.

By Mr. Del Guercio:

Q. Well, the article that you have identified in the Voice of the Federation as being the same one which appears in the People's World on April 7, 1938 starts off "Once more Almon E. Roth, notorious shipowner's Charlie McCarthy"—no, excuse me.

A. You're reading the wrong article.

Q. How do you know that? I thought you didn't have any recollection.

Mr. Gladstein: I move that that be stricken as argumentative and improper. [4859]

Presiding Inspector: Yes. I think we had better get along with the questions.

By Mr. Del Guercio:

Q. Did you write the article yourself?

A. Yes.

Q. Have you got a copy of it?

A. You mean, is there—

Q. (Interposing): Did you retain a copy of it?

A. The copy that we retained is the bulletin.

Q. Does that bulletin purport to contain the entire article that you wrote?

(Testimony of Henry A. Schmidt.)

A. The bulletin has more material than the article that appears in the Voice of the Federation.

Q. Did you write the entire bulletin?

A. Yes.

Q. Yourself? A. Well, I am pretty sure.

Mr. Del Guercio: I was looking at another article in the Voice of the Federation. I thought that that was the one that was pointed out.

Presiding Inspector: Yes.

By Mr. Del Guercio:

Q. Is Harry Bridges responsible for your holding the present position which you occupy in the Union?

A. No; the membership is responsible.

Q. Did Harry Bridges have anything to do with obtaining [4860] that position?

A. No. The membership elected me.

Q. Did Harry Bridges support you?

A. I think so.

Q. Well, don't you know?

A. Well, I'm sure of it.

Q. And do you support Harry Bridges?

A. Yes.

Q. And who is the—what is Mervyn Rathborne's position in your Union?

A. He doesn't belong to our Union.

Q. Does he occupy any position at all in the CIO set-up?

A. Yes. At the present time he is the Secretary of the San Francisco Industrial Union Council.

(Testimony of Henry A. Schmidt.)

Q. And where does he have his office?

A. In the Balboa Building.

Q. The same building you do?

A. No. I don't have my office there.

Q. The same building as Harry Bridges?

A. Yes.

Q. And in the same suite of offices.

A. Well, they have an entire floor there. There is the State CIO. The whole business is there.

Q. You know Mervyn Rathborne, don't you?

A. Yes. [4861]

Q. How long have you know him?

A. Since the '36-'37 strike.

Q. Has Mervyn Rathborne ever given you any order as to what you should do in your Union or anywhere else?

A. Has he given me what?

Q. Orders?

A. No.

Q. Huh?

A. Certainly not.

Mr. Del Guercio: That is all.

Redirect Examination

By Mr. Gladstein:

Q. Mr. Schmidt, did you write the headlines that appeared above the article of yours in the Voice of the Federation?

A. No. The only thing that is produced in our office that I wrote in connection with it is the material that appears in the bulletin, and what happened after that I have no way of knowing. The newspaper people themselves, they write headlines.

Q. Now, how are the union bulletins, the ILWU Union bulletins, prepared? Who is responsible

(Testimony of Henry A. Schmidt.)

for the preparation of them and what is the actual practice?

A. Well, it's my responsibility to see that it gets out, although I don't always do the actual writing unless one of the publicity fellows gets sick or doesn't show up, and he usually appears on Tuesday morning in the office and gathers up his [4862] material and I give him some material that has accumulated during the week. Then during the course of the day the stencil is cut. Sometime in the afternoon somebody runs it off on the mimeograph machine, and then the following morning the bulletin is distributed to the members on the waterfront.

[4863]

Q. Is it a practice of the Voice of the Federation to reprint the official bulletins of the Longshore and other unions?

Mr. Del Guercio: I will object to that, what the practice was.

Presiding Inspector: Is there any such thing as a practice in that respect?

Mr. Gladstein: There may be.

Presiding Inspector: Let's find out whether there was a practice.

Mr. Gladstein: I asked if there was such a practice.

A. As far as our union is concerned, yes; the stenographer has instructions to send that bulletin to the labor papers immediately after it comes out of the mimeograph machine; and it is not only sent

(Testimony of Henry A. Schmidt.)

there, but it is sent to all the other longshore locals on the Coast.

Mr. Del Guercio: I move to strike out the witness' answer as not being responsive. He was asked to give the practice.

Presiding Inspector: That is what he said, the practice was to send this bulletin to all these papers he mentioned. I will let it stand.

Mr. Gladstein: I think that is all.

Mr. Del Guercio: That is all for the present.

Presiding Inspector: That is all.

(Witness excused.) [4864]

Presiding Inspector: Next witness, Mr. Gladstein.

Mr. Gladstein: I understand that that copy of the Voice of the Federation, which I offered, and which was received in evidence, I think that is our last exhibit—you say that is the last copy the Voice has?

Mr. Schmidt: The only one we have in our office.

Mr. Gladstein: That is the only one that the Union has—and Mr. Schmidt would like to have it back, so I am going to ask the same permission for photostating this.

Presiding Inspector: Yes; that may be done.

Will you stand and raise your right hand?

FRED HEINER

called as a witness on behalf of the Alien, having been first duly sworn, testified as follows:

Presiding Inspector: Give your name and address to the reporter.

The Witness: Fred Heiner,—H-e-i-n-e-r.

Direct Examination

By Mr. Gladstein:

Q. Mr. Heiner, where do you reside?

A. 155 Ellington Avenue.

Q. Ellington—how do you spell it?

A. E-l-l-i-n-g-t-o-n.

Q. San Francisco? A. Yes, sir.

Q. What is your occupation? [4865]

A. Ship clerk.

Q. By whom are you employed?

A. Waterfront Employers Association.

Q. Here in San Francisco?

A. That is correct.

Q. How long have you been engaged in the occupation of being a ship clerk?

A. Approximately two years.

Q. Prior to that time what did you do?

A. Longshoreman.

Q. For how long had you been a longshoreman before that? A. Since 1922.

Q. And in what ports did you work as a longshoreman?

A. The Port of San Francisco.

Q. As a longshoreman did you belong to a trade union of longshoremen?

(Testimony of Fred Heiner.)

A. I belonged to the only union which was here, which was the Blue Book.

Q. When was that?

A. In 1923 I joined.

Q. For how long were you a member of the Blue Book?

A. From 1923 until 1933.

Q. That is a period of about ten years?

A. That is correct.

Q. Thereafter did you become a member of any other union? [4866]

A. I then joined the ILA.

Q. That was the San Francisco Local, was it?

A. Yes, sir.

Q. Was that ILA 38-79?

A. That is correct.

Q. Do you remember when in 1933 you joined it?

A. Approximately October.

Q. Since that time have you continuously remained a member of the ILA and its successor, the ILWU?

A. That is correct.

Q. While you were in the longshore union have you ever held any positions or offices?

A. Yes; I was a member of the Labor Relations Committee.

Q. For which union?

A. For the longshoremen's union.

Q. When did you hold that position?

A. In 1935 and '36.

Q. What other positions?

(Testimony of Fred Heiner.)

A. I was a member of the Board of Trustees of the Local.

Q. When did you hold that position?

A. In 1934, I believe.

Q. Any other positions?

A. I was on the Defense Committee during the '34 strike.

Q. What Defense Committee was that?

A. That is the Legal Defense Committee for the Local. [4867]

Q. Who were the members of that Committee?

A. Eugene Dietrich and myself.

Q. Have you held any other positions in long-shore unions besides those you have mentioned?

A. One other; I believe I was a member of the District Executive Board.

Q. Well, you were a member of that?

A. Yes, I was.

Q. When did you hold that office?

A. 1937 and 1938.

Q. What is the first union you ever joined?

A. The first union I joined was the "Wobblies."

Q. When did you join them?

A. 1921 or 1922.

Q. How old were you then?

A. Oh, about 15 or 16 years old, I believe.

Q. Where were you when you joined?

A. In Belden, California.

Q. How long did you remain a member of the "Wobblies"?

A. For about three years.

(Testimony of Fred Heiner.)

Q. Was is after that that you became a member of the Blue Book union?

A. That is correct—no, simultaneous I think I belonged to the two unions.

Q. Now, in 1934 you say you were a member of the Legal [4868] Defense Committee for the long-shore union?

A. That is correct.

Q. Did you hold that position from the first day of the strike?

A. No. It was a few days after the strike I think when the Defense Committee was formed.

Q. Within how short a period after the strike began?

A. I would say the first week.

Q. And what, in general, was the nature of your responsibilities as a member of that Committee?

A. Well, the responsibility that we had was to see that the charges on which the members of the union were booked and to secure defense for the members of the local.

Q. Did it include getting the men out on bail?

A. That is correct.

Q. And did you serve from the time of the creation of that committee until the end of the strike?

A. That is right.

Q. That would be from May 9, 1934 to and including July 31.

A. That is correct.

Q. While you were a member of that Committee—withdraw that. Did that Legal Defense Com-

(Testimony of Fred Heimer.)

mittee have any connection with the Strike Committee?

A. It was part of the Strike Committee.

Q. In what way would the Legal Defense Committee work [4869] with or as a part of the Strike Committee?

A. Daily they would give their reports to the Strike Committee and receive instructions from the Strike Committee as to how to proceed.

Q. And who was the Chairman of the Strike Committee? A. Mr. Bridges.

Q. From the time that you became a member, from the time that the Defense Committee was created, did you attend as a member of the Defense Committee all meetings of the Strike Committee throughout the period of the Strike?

A. That is correct. I attended all but three, I believe.

Q. When did those three occur?

A. Right after the general strike. Oh, I think, July 5th was the first—July 6th must have been the second, or the first day that I missed.

Q. During the period of the general strike?

A. Yes.

Q. How long was the general strike?

A. Three or four days; I don't remember exactly.

Q. You say that you missed a period of how many days? A. Three days.

Q. What was the occasion of your missing those meetings?

(Testimony of Fred Heiner.)

A. I received an injury. I was kicked by a policeman's horse and laid up for a couple of days. [4870]

Q. Was that the only occasion that you missed Strike Committee meetings?

A. That is correct.

Q. Now, do you know whether members of the Strike Committee were required to receive special permission from the Strike Committee in order to leave San Francisco?

Mr. Del Guercio: If your Honor please, I will object to that question.

Presiding Inspector: I don't understand where we are going; probably you do. I trust you to connect this up with something that is material.

Mr. Gladstein: I think it is, your Honor.

Presiding Inspector: I don't see how it is material as yet, but I will take it with that understanding.

Mr. Gladstein: Do you want the question read?

The Witness: Yes.

(The question referred to was read by the reporter as above recorded.)

Presiding Inspector: Is that a resolution, or a practice, or what was it—required how? The question is very indefinite.

Mr. Gladstein: Let us see if the witness can answer it.

A. For any member of the Strike Committee to leave the City of San Francisco, or do anything

(Testimony of Fred Heiner.)

connected with the strike, he must have gotten permission from the Strike Committee. [4871]

Presiding Inspector: You say "must." Was that by the law of the State, of the United States, or by rule of the organization?

The Witness: That was by rule of the organization.

Presiding Inspector: I think you should produce the rule of the organization, if it was a written one.

Was it a written rule?

By Mr. Gladstein:

Q. In what form—

Presiding Inspector: No. Answer my question.

Mr. Del Guercio: The Court has asked a question.

Presiding Inspector: Just a moment. Was it a written rule?

The Witness: It was a rule, I believe, that was established in the Strike Committee itself and should appear in the minutes of the Strike Committee.

Presiding Inspector: I think we ought to have those minutes, if this is of any importance. I can't see how it is of the slightest importance. Suppose someone disobeyed the rule? Are you trying to show that someone couldn't have gone away from here because he didn't get permission of the Strike Committee? Is that the idea?

Mr. Gladstein: I am showing that in the normal

(Testimony of Fred Heiner.)

course of events it was required, if a member of the Strike Committee wished to leave the City of San Francisco during the time that the strike was on, that he receive permission from the [4872] Strike Committee. I am trying to show that men who served on the Strike Committee, and on committees that were integrated with it, know of their own recollection that Mr. Bridges never asked, was never given permission to leave San Francisco, or to leave that strike; that it is their recollection that Mr. Bridges was in San Francisco on every day of the 1934 Strike.

Presiding Inspector: Let us hear from Mr. Bridges first before we have that.

Mr. Gladstein: He will testify on that. But we are not confined to just the testimony of Mr. Bridges.

Presiding Inspector: Of course you are not; but at the present time I can't see any point in this.

Mr. Gladstein: Your Honor will recall the testimony of Mr. Laurence on this matter. Do you remember Mr. Laurence's testimony?

Presiding Inspector: Yes.

Mr. Gladstein: He said that occurred during the 1934 strike on Thursday night.

Presiding Inspector: That doesn't make any difference whether it was a rule or not. You can't show by observance of a practice whether or not a man was or was not in a place.

Mr. Gladstein: I differ with your Honor on that.

(Testimony of Fred Heiner.)

Presiding Inspector: That is my understanding.

Mr. Gladstein: I think the law entitles us to introduce [4873] evidence to the effect that there was a practice or a rule, what the circumstances were that involved—

Presiding Inspector: Let us hear whether there was a rule.

Mr. Gladstein: I think that law entitles us to introduce Strike Committee, by its own action, required members of the Strike Committee to remain, not to leave the vicinity of the strike without special permission from the Strike Committee. I think that is quite natural and logical. It would seem very, very unusual for men engaged in a strike of the scope and character of the 1934 Waterfront Strike, not to bind themselves by some such rule, but to permit anyone to leave and go anywhere at any time. There must be some sort of responsibility in carrying out the tasks of the strike, and we are trying to show there was this responsibility.

Presiding Inspector: Well, I haven't ruled you couldn't show it, but I have ruled that this is just a loose statement by this witness, without any introduction, and it is scarcely probative. Let us hear how this rule was adopted, or was it just a custom?

Mr. Gladstein: There will be testimony from Mr. Bridges on this very same issue, of course.

Presiding Inspector: All right.

Mr. Del Guercio: Is this for the purpose of giv-

(Testimony of Fred Heiner.)

ing support to what Harry Bridges may or may not say?

Mr. Gladstein: It is for the purpose of establishing [4874] one of the parts of the defense. I do not care how Mr. Del Guercio—he hasn't any right to inquire as to just what our specific purpose is. This is the defense case. The theory of our defense—

Presiding Inspector: I have a right to require you to show its materiality.

Mr. Gladstein: Certainly; and I am always glad to respond to any inquiry as to materiality.

Presiding Inspector: I think it is of doubtful materiality. Go ahead.

Mr. Gladstein: What was the last question, please?

Presiding Inspector: 'I think he answered it. He said there was such a rule.

Mr. Del Guercio: He didn't answer the question that way.

(The last question referred to was read by the reporter as above recorded.)

The Reporter: Do you want the answer?

Presiding Inspector: Yes.

(The answer referred to was read by the reporter as above recorded.)

Mr. Del Guercio: That wasn't the question I had in mind. I had in mind the question asked by the Court.

(Testimony of Fred Heiner.)

Presiding Inspector: How the custom was established, or the rule, or whatever it was.

The Reporter: Do you want me to read that?

Presiding Inspector: Suppose you ask it over again? [4875]

Mr. Gladstein: I think it has been answered.

Presiding Inspector: Very well.

By Mr. Gladstein:

Q. Mr. Heiner, with the exception of the period during the general strike itself, that is during the four or five days, whichever it was, of the general strike, with the exception of that part of that time when you were at home with this injury, did you see Harry Bridges on each day of the 1934 Waterfront Strike?

A. It was the custom of the Defense Committee—— [4876].

Presiding Inspector: No. The question is, Did you see him every day.

The Witness: The answer is, Yes.

By Mr. Gladstein:

Q. Now, will you explain the circumstances under which you saw him every day.

A. It was the custom of the Committees to report to the Central Strike Committee every day, even including Sundays at times, and the Committees had to give their reports and receive their instructions from the Central Strike Committee, the Committee of which Mr. Bridges was Chairman.

Q. Was there ever a day—withdraw that.

(Testimony of Fred Heiner.)

Now, when you say that the various Committees would have to report to the Strike Committee, did that include the Defense Committee, of which you were a member?

A. That is correct.

Q. What other Committees made their reports to the Strike Committee for instructions?

A. The Relief Committee.

Q. What?

A. The Relief Committee.

Q. Any other?

A. The Picketing Committee. The Good and Welfare Committee, and there were numerous other smaller Committees, which I don't remember right now. [4877]

Q. Well, was there a regular period of each day, each week day, assigned for the reports of the Defense Committee to the Strike Committee?

A. Yes, there was. It was two o'clock in the afternoon.

Q. Where were those meetings held?

A. At the Union hall at 113 Steuart Street.

Q. How long were they? How long did they take?

A. From an hour to two hours.

Q. Did you have a great deal of business as a member of the Defense Committee?

A. Quite a bit.

Mr. Del Guercio: If your Honor please, I will object to all this as not being the best evidence. There is available—I assume there is—minutes of

(Testimony of Fred Heiner.)

this Strike Committee and their activities available there to Harry Bridges and the Defense.

Mr. Gladstein: I am not sure that there are. As a matter of fact, we have been making a search for the minutes of the Strike Committee of the strike of 1934 and we have thus far been unable to locate them.

Mr. Del Guercio: They have been in the possession there of the Defense all along.

Mr. Gladstein: I just got through saying that we have not had them, that we have been making a search for them.

Presiding Inspector: I don't think this goes to any specific question that the objection was made to. The objec- [4878] tion was interposed to the whole line.

Mr. Del Guercio: The whole line; yes, sir.

Presiding Inspector: I will let it stand.

By Mr. Gladstein:

Q. Now, Mr. Heiner, as a member of the Legal Defense Committee in 1934 can you state approximately how many cases of arrests of longshoremen occurred in San Francisco during that strike?

Mr. Del Guercio: I will object to that as being immaterial.

Presiding Inspector: I don't see how that is material.

Mr. Gladstein: Well, it is preliminary.

Presiding Inspector: What?

Mr. Gladstein: It is preliminary to something that I want to bring out, your Honor.

(Testimony of Fred Heiner.)

Presiding Inspector: I think it may have an ulterior effect, that we can't go into the details of this strike.

Mr. Gladstein: We are not going into the details. I want to show the reason——

Presiding Inspector: (Interposing) How many cases were there that came under the supervision of this Committee? Is that the idea?

Mr. Gladstein: Of the Defense Committee which would require, as your Honor will see when the figures are mentioned, continuous discussion with and obtaining of instructions from [4879] the Strike Committee daily.

Presiding Inspector: It is pretty remote, but I will allow the number.

How many?

A. I believe we counted them once and I believe there were 705 cases during the period of the '34 strike.

By Mr. Gladstein:

Q. How many of those men were ever convicted?

A. One, to my knowledge, in San Francisco.

Presiding Inspector: I think that was very improper. I said we couldn't go into the details of this strike.

Mr. Gladstein: I am not going into the details of the strike.

Presiding Inspector: Then you immediately asked a question as to the details of the strike.

(Testimony of Fred Heiner.)

What difference does it make how many were convicted?

Mr. Del Guercio: I move that it all be stricken.

Presiding Inspector: There is no objection to it, but it seems to me it is an improper question.

Mr. Del Guercio: I move that it be stricken.

Presiding Inspector: I will let it stand.

Mr. Myron: The objection stands to the whole line of inquiry, your Honor.

Presiding Inspector: Certainly.

By Mr. Gladstein: [4880]

Q. Were you among those arrested during the strike?

A. Yes.

Mr. Del Guercio: I will object to that, if your Honor please.

Presiding Inspector: We are going right into the strike. I can't see any point in it. You said you weren't going to go into the strike.

Mr. Gladstein: I am asking this witness as to whether he has been arrested.

Presiding Inspector: Is that something to do with his credibility? Is that what you mean?

Mr. Gladstein: Well, I assume that the Government will probably—

Presiding Inspector: It is to avoid the—very well, on that point. I thought you meant this in relation to his knowledge. I thought that you offered this in relation to his knowledge of *that* the Defense Committee did.

Mr. Myron: I think, your Honor, his question was, Were you arrested during the strike?

(Testimony of Fred Heiner.)

Mr. Gladstein: I asked him was he arrested during the strike. I can ask him that.

Presiding Inspector: I think I will allow it as just a question about arrest and convictions that we have heretofore allowed to be asked of a witness. I will take that.

A. The question was, Was I arrested during the strike? [4881]

Mr. Gladstein: Yes.

Presiding Inspector: I don't know that arrest amounts to anything, but both sides throughout this case have asked whether witnesses have been arrested, and I think I will allow it.

A. Yes, I was arrested twice during the strike.

By Mr. Gladstein:

Q. Were you convicted on either occasion of any crime? A. No, sir.

Q. Have you ever been convicted of any crime?

A. No, sir.

Q. What were you—withdraw that.

Now, in these various positions that you have held while you were with the Longshore Union did you have frequent occasions, Mr. Heiner, to work with Harry Bridges in trade union matters?

Mr. Del Guercio: I will object to that question, your Honor. It doesn't matter whether he worked with Harry Bridges in trade union matters.

Presiding Inspector: What are you going to ask? More questions along the line of the questions put to Mr. Kagel?

Mr. Gladstein: I intend to, yes.

(Testimony of Fred Heiner.)

Mr. Del Guercio: The question as to whether he worked with Harry Bridges on Communist activities would be more pertinent, it seems to me.

[4882]

Mr. Gladstein: I move that that be stricken.

Presiding Inspector: Yes, I will strike it out. You mustn't do that.

Mr. Gladstein: Will you read the question, please.

(The question referred to was read by the reporter as above recorded.)

Presiding Inspector: Now, I suppose you could produce every member of a union that voted for him on these matters. I don't see that it is material in the slightest.

Mr. Gladstein: I don't intend to produce—

Presiding Inspector: (Interposing) I doubted the propriety of the examination of Mr. Kagel, you remember that. But I certainly don't think that from a union man that you should introduce such proof.

Mr. Gladstein: Well, this man, of course, has had contacts in the trade union movement with Mr. Bridges which were in general of a different character from the contacts that Mr. Kagel had.

Presiding Inspector: You see, there is going to be no testimony that he hasn't well performed the duties of his office.

Mr. Gladstein: I am not so sure of that, your Honor. I mean, if we can assume that that is true;

(Testimony of Fred Heiner.)

if we could assume that that is true, we might consider that the issue was closed. But we don't know what the theory of Mr. Del Guercio [4883] is in this case. It varies from time to time.

Presiding Inspector: There is no evidence of it so far and his case is closed.

Mr. Gladstein: You must expect, though, that the Defense has a right to anticipate with reasonable grounds positions that the Government may take or may shift to, and attempt in the presentation of the Defense in contemplation of those possibilities to put on testimony refuting a possible or potential or reasonably probable position that the Government may take.

Presiding Inspector: Yes.

Mr. Gladstein: You see, the Defense as always

Presiding Inspector (Interposing): I think that is so, but I don't think it is reasonably probable.

Mr. Gladstein: If we can have some assurance from Mr. Del Guercio on this issue, then perhaps

Presiding Inspector (Interposing): You can't tell what is coming out on the examination.

Mr. Del Guercio: The Government's position has never shifted. We have had one issue involved here, and that is whether or not Harry Bridges is a member of the Communist Party. We have never shifted from that at any time.

Mr. Gladstein: Of course, I suppose the Government cannot shift from the position taken by its

(Testimony of Fred Heiner.)

own witnesses, because the Government when it places a witness on the stand vouches for his credibility and for his testimony and is bound, in [4884] theory, by what the witness says.

Presiding Inspector: Not as much as it used to be.

Mr. Gladstein: Yes. While it is no answer for Mr. Del Guercio to say that "Our position has been that Mr. Bridges is a Communist" when we are discussing this issue here as to whether the Government will introduce evidence to the effect that Mr. Bridges has been a bad trade unionist, not a good trade unionist, from which it might claim inferences could be drawn by the Court to the effect that he must therefore be allied with a group that isn't interested in trade unionism but interested in some ulterior purposes.

You see, it is the Government's witnesses, not ours, who took the stand and made a distinct, a very distinct, sharp contrast between a Communist in a trade union and a good trade unionist.

Now, it is their—

Presiding Inspector (Interposing): The whole thing is very doubtful. You had a witness named Schmidt who testified that he never inquired whether any of these people that were in his union were Communists or not; never thought it amounted to anything.

Mr. Gladstein: That is true.

Presiding Inspector: That is the essence of his testimony.

(Testimony of Fred Heiner.)

Now, you go over on the other side and want to show that this man is a good trade unionist; now, what bearing has that? [4885]

Mr. Gladstein: Well, your Honor, I think that you must remember that witnesses—

Presiding Inspector (Interposing): I allowed it in two cases from what might be called experts, I suppose, who were outside people, who had observed his conduct. I have grave doubt as to the relevancy of that testimony.

Mr. Gladstein: Well, I think you were correct in admitting the testimony of Mr. Kagel and the testimony of Dean Morse. On the other hand, though I agree with you that they are in their fields experts, I do think that the testimony of a trade unionist is of equal or possibly greater value than the testimony of an expert on this question.

Presiding Inspector: This man has been elected to office right straight along by his union.

Mr. Gladstein: Yes.

Presiding Inspector: Isn't that sufficient proof of the view of the members of the union? Do you have to pile up the testimony on that?

Mr. Gladstein: Well, we are still following this theory of the Government which was enunciated by Mr. Laurence, enunciated by Mr. Chase, enunciated by Mr. Diner. I am not sure whether Mr. Honig had anything to say about it, but the possibilities are that he did. Mr. Rushmore had something to say about it and Mr. Gitlow had a good deal to say about it. These are the Government witnesses. They

(Testimony of Fred Heiner.)

are establishing [4886] the only thing in this case that can serve as a criterion of the initial. I suppose, in a trade union or the trade union movement of a Communist or a person who belongs to the Communist Party, that his conduct will be thus and so in such a way for certain reasons.

Now, if that is their theory—I mean, it must be their theory. They have put these witnesses on. They can't be permitted to switch from that. Then we have a right to meet them on that theory.

Now, it may well be, as your Honor indicated a moment ago, that to some extent one could say that there would be inconsistent defenses. But, that of course, is in legal contemplation perfectly all right. If it is the obligation of the prosecution of this case to establish A plus B plus C, then all that the defense needs do is to meet any one of those three or, in attempting to meet all three if it chooses to do so, take positions which are inconsistent with each other.

That's a rather fundamental rule in pleading and in the trial of a case.

Mr. Del Guercio: If the Court please, the only issue that the defense has to meet here are the charges contained in the warrant of arrest and the additional charge lodged.

Presiding Inspector: Do you want to ask him the question so far as his judgment as to whether the action of Mr. Bridges has been uniformly to the advantage of the members of the union, [4887]

(Testimony of Fred Heimer.)

in order to dispose of this matter, I will allow you to ask him. That's what the question is, isn't it?

Mr. Gladstein: Well, I don't know that I asked that question. I had asked a preliminary question in order to qualify the witness.

Presiding Inspector: I mean; you may arrive at that. We want to dispose once and for all of this kind of testimony.

Mr. Del Guercio: I thought it was disposed of before, but it has been brought up every day, if your Honor please.

Presiding Inspector: It is over your objection. But I don't want all the unions to be coming in here and swearing to this.

Mr. Gladstein: I must say this, your Honor: I know that you have a right to say "Well now, you are producing testimony which is cumulative. I will allow you within reasonable limits to produce such testimony, but I can't permit you to go on forever with a certain type of testimony".

I realize that. But I think before we come to that point that we should have some understanding here, because we are prepared and we intend to have representatives from Portland, Seattle, Los Angeles, San Francisco, from various unions testify on this subject.

We have heard from witnesses produced by the Government who—and I mean no offense by this, but who to our minds are renegades from the trade union movement. We desire by the testimony of men who are high in the trade union movement

(Testimony of Fred Heiner.)

[4888] to show that they, as the result of their contacts with Harry Bridges and their opportunities to observe him and to judge, are able to come in and say that he is a good trade unionist, he has never done anything to indicate that he was anything but, or that he had any ulterior purpose in mind or that he was trying to undermine the Government or any trade union or do any of the things which the Government witnesses say in this case are the marks of a Communist.

Now, it is true that your Honor would have a right to say to us "Well, we can't have this go on". But we at least would be entitled to put in some kind of an offer. And I think if we had the usual ethics of a case applied we would at least be entitled to a stipulation that, if so-and-so were called, if asked, he would testify to such and such.

Presiding Inspector: I have no doubt that you could produce a thousand witnesses who would testify that Mr. Bridges, so far as they have observed, has loyally fulfilled the duties of his office in the trade unions. And I don't believe that the Government is going to question it. Now, I don't see why you should pile this up. There has been no question of it up to this time.

Mr. Gladstein: I beg to disagree with your Honor. I think there is.

Presiding Inspector: No question at all.

Mr. Gladstein: I think the question has been raised. [4889]

Presiding Inspector: No, I think not.

(Testimony of Fred Heiner.)

Mr. Gladstein: Well, your Honor, the Government puts witnesses on the stand who say "Yes, yes, Mr. Bridges is a Communist"; "No, no Communist can be a good trade unionist".

Presiding Inspector: Oh, well, no. I don't find that in any way in the testimony. Mr. Diner is the one to whom you principally refer. Mr. Diner said that, as I recall it, in performing his trade union duties he thought that certain persons should not be appointed to various duties, and that he was called down by his Communist superior, and that he came to the conclusion from that in his experience that he couldn't be a good trade unionist and a good Communist at the same time. That is his testimony.

Mr. Gladstein: Yes.

Presiding Inspector: Now, you can't generalize from that.

Mr. Gladstein: Mr. Laurence testified that Mr. Bridges was, I think he called him "The greatest menace that the trade union movement has ever known".

Presiding Inspector: That was his opinion. Was there anything to base it on?

Mr. Del Guercio: It was brought out on cross examination.

Mr. Gladstein: Certainly we brought it out on cross examination to show how viciously biased the witness was.

Presiding Inspector: It may show bias, but there was no factual basis of it.

(Testimony of Fred Heiner.)

Mr. Gladstein: Well, there wasn't any more factual basis [4890] in my personal opinion than there was to anything else that was stated by the witness.

Presiding Inspector: Well, that is, aside from the question.

Mr. Gladstein: But the point is, when a witness testifies flatly on a question of that kind and the Government is certainly bound by his testimony, we have a right to meet that issue, to meet them on that common ground, and to challenge them on that issue and to meet it with evidence of our own tending to refute it.

Presiding Inspector: Did you put any such evidence in in the other hearing?

Mr. Gladstein: To answer that accurately I would have to review, not the whole transcript but, say, Dean Landis' opinion simply to recall to my mind the witnesses that were put on. I think with a couple of moments' recess I could give you an answer to that.

Mrs. King: Could we have the morning recess now, if your Honor please?

Presiding Inspector: What is that?

Mrs. King: Could we have the morning recess now and then we could probably answer your question?

Presiding Inspector: I have read the report. I don't recall.

Mrs. King: I don't recall any such testimony either. [4891]

(Testimony of Fred Heiner.)

Presiding Inspector: No.

Mrs. King: But the issues were rather differently raised in that case.

Presiding Inspector: They put in these pamphlets, didn't they? Didn't they put in Lenin's "Left Wing Communism"?

Mr. Gladstein: Oh, all those pamphlets.

Mrs. King: There was no effort made to establish at that hearing that there was any affiliation along the lines that is sought to be established at this hearing. In this hearing there is the suggestion that Mr. Bridges' conduct with reference to the Marine Workers Industrial Union was very close, that maybe something could be worked out of that; that also his relation to the Communist Party was one of following a Communist Party line, whether he was a member or not; and from that same deduction might be drawn as to affiliation.

Now, it seems to me that in view of the difference of approach of the Government in this case from the approach of the Government in the last case that the Defense must necessarily meet the issue in a different way; that there was no suggestion in the first case that Mr. Bridges was a member of anything but the Communist Party. There weren't these ramifications into other organizations, and there wasn't really the emphasis upon affiliation that is being made at this time.

Presiding Inspector: That is one of the main attacks here by the Government: affiliation. [4892]

(Testimony of Fred Heiner.)

Mr. Gladstein: Yes, but in a different sense. The issue at the last trial was likewise membership in and affiliation with. But the issue was raised and decided on the basis of definitions of "affiliation" as found in Court decisions.

Now, in their opening statement here the Government has sought to point out and throughout its case its theory has been that mere association

Presiding Inspector (Interposing): No.

Mr. Gladstein: Well, that is what it amounts to, your Honor.

Presiding Inspector: I don't so understand it.

Mr. Gladstein: Well, I have a recollection that Judge Goodwin—

Presiding Inspector (Interposing): He may have, but I don't understand that mere casual association—there must be something mutual about it, I suppose, and there must be aid offered just as in the examples given in the statutes.

Mrs. King: It seems to me, your Honor, that one of the reasons—

Presiding Inspector (Interposing): I don't think we need to discuss this matter at this time because that is going to be a very serious matter of consideration when the case is before me for final decision and in making findings of fact and conclusions.

Mr. Gladstein: I am pretty sure in answer to your pre- [4893] vious question that the Government in the last case did not put on witnesses to

(Testimony of Fred Heiner.)

testify as the witnesses have in this case, that you can't be a Communist and a good trade unionist, or if you are a good trade unionist you can't be a Communist, or vice versa.

Presiding Inspector: That all comes in the meaning of the word "good", and you and I and the counsel and the witness may have different interpretations of the word "good", "good trade unionist". I allowed that because it crept into some of the examination of the witnesses for the Government. But I think that when you call a member of the union and ask him whether his presiding officer of his union is a good trade unionist, it becomes absurd.

Mr. Gladstein: Well, of course, he is not a member—

Presiding Inspector (Interposing): Everyone in the union, I suppose, except some ill-affected person or some opponent, or enemies—and I suppose there are such of the Alien—would come in here and say that. And I don't think the Government in the sense that you are asking this is going to in any way dispute it.

Mrs. King: It seems to me, your Honor—

Mr. Del Guercio (Interposing): On that theory, if your Honor please, if we follow counsel's argument here, why, we could bring in witness after witness here to the effect that Harry Bridges because of his trade union activities has ruined the City of San Francisco, that it has created unemployment [4894] here.

(Testimony of Fred Heiner.)

Presiding Inspector: I am afraid that wouldn't be material.

Mr. Del Guercio: Huh?

Mr. Gladstein: But, you see, your Honor,—

Presiding Inspector (Interposing): That isn't material.

Mr. Gladstein: But that is just what is underneath the questions that Mr. Del Guercio has asked. That is implicit in every question that he asked about the Albion Hall group, the Water-front Worker, the 1934 strike. It is no secret to us that Mr. Del Guercio is using a brief prepared by Harper Knowles and given to the Dies Committee.

Mr. Del Guercio: That is a lie, if your Honor please.

Mr. Gladstein: Because the material is the same.

Mr. Del Guercio: A scurrilous lie!

Mr. Gladstein: The material is the same.

Presiding Inspector: Let the tempers cool off a minute.

Mr. Del Guercio: If your Honor please, counsel shouldn't be permitted to be making statements, and they have been using this as a forum. We have had this record full of speeches down here and he takes every opportunity to use this Court as a forum, and we have never been permitted to make answers to those. He goes into one subject after another and continues and continues here for—I was going to say "hours", it isn't quite that bad,

(Testimony of Fred Heiner.)

but almost. And we forget, then, what he has said. He speaks about the ethics of his profession. I say that he [4895] has no ethics.

Presiding Inspector: Well, this isn't a place for recriminations.

Mrs. King: What we are trying to say, your Honor,—

Presiding Inspector (Interposing): We are trying to resolve a legal question, that is all. Somewhat legal.

Mrs. King (Continuing): —is that the vagueness of the present charges against Harry Bridges, and particularly in view of the opening statement made by Judge Goodwin at this hearing, is such that we really don't know exactly what we are trying to meet. There are implications in these remarks that Harry Bridges is a Communist because he is a bad trade unionist, according to Laurence. And then there are implications from Mr. Rushmore that every Communist is a bad trade unionist. We are trying to meet both of those coming and going. It seems to me, that either the Government—

Presiding Inspector (Interposing): Let me interrupt you, Mrs. King. I don't understand that this Communist doctrine is a very firm one. That is, in the statement in Lenin's famous book the Communist was to get control of the trade unions for an ultimate purpose of control of the trade unions. He said that the control of the trade unions lay at the very basis of the success of the Communist movement.

Now, implicit in that must be that they must

(Testimony of Fred Heiner.)

win the confidence, these Communist members must win the confidence, and it must be assumed that they must work for the benefit of the [4896] members or they would be quickly ousted. So that you can reason in both directions from this Communist doctrine, and it isn't because a man comes in and says "Mr. Bridges in my judgment is a good trade unionist." That doesn't amount to anything. He may be doing the very thing—I don't say he is, of course, because this is all argument. He may be doing the very thing that Mr. Lenin pointed out, boring from within so as to get control of the trade unionists. So that the judgment on this or that case or on all the cases as to being a good trade unionist from the trade union member's standpoint has no bearing whatever on the question.

Mr. Gladstein: I would like to say this in response to your Honor. Here is the Government coming in with this kind of a proposition. They are trying to show that Harry Bridges—and this came out through their witness Laurence and through others, Chase testified about it, and so on—that Bridges had control of the trade unions. That he ran the ILWU and the CIO on the West Coast. And then they try to get you to draw the inference that he was doing this for an ulterior purpose and to establish the second point they first went on to show, and they do try to show, through their witnesses that Bridges is the head of the Unions here and that what he says goes.

All right. Now, if you accept that kind of a

(Testimony of Fred Heiner.)

theory then you make it almost impossible for any trade union leader in the United States to defend himself against a similar charge if he has the confidence of the members of the union or the trade union [4897] movement of which he is the head, if he has the kind of control which they say Mr. Bridges has. If, in other words, he enjoys the following of the trade unionists—

Presiding Inspector: (Interposing) No, they don't draw the inference that because he is a good trade unionist, therefore he is necessarily attempting to secure the control of the union for the Communist Party. They say that that doesn't make any difference one way or the other. It isn't pertinent on the subject, whether he is a good trade unionist or a bad trade unionist.

Mr. Gladstein: But they say—

Presiding Inspector: (Interposing) But the whole Communist doctrine is one of destruction and chicanery, and they quote the classic examples stated by Lenin himself in that famous pamphlet.

Mr. Gladstein: But your Honor, they say this:

Presiding Inspector: (Interposing) But you are trying to force them to take the position that every moment the person must be acting not for the benefit of the union but for the benefit of the Communist Party.

Mr. Gladstein: That is what the witness has said.

(Testimony of Fred Heiner.)

Presiding Inspector: Now, they may both go to the same end. It may be a Communist movement to bore from within and have control of the unions so that in the end they may bring about Communist purpose. [4898]

Mr. Gladstein: Well, now, your Honor, you are speculating.

Presiding Inspector: Of course, I am speculating.

Mr. Gladstein: And the evidence——

Presiding Inspector: (Interposing) We are both speculating.

Mr. Gladstein: But the evidence of the Government witnesses is quite different. The evidence given by——

Presiding Inspector: Have you read these pamphlets?

Mr. Gladstein: No, I haven't read the pamphlets. I am talking about the evidence given by the Government's witnesses.

Presiding Inspector: I think it would be wise for you to read the pamphlets.

Mr. Gladstein: I have read some of these pamphlets in preparing for the last case.

Mr. Del Guercio: Only in preparation?

Mr. Gladstein: Are you asking this of me or the Court?

Presiding Inspector: No, no. Don't interrupt! We are trying to reach a result here.

Mr. Gladstein: I am trying to point this out:——

(Testimony of Fred Heiner.)

Presiding Inspector: (Interposing) I am stating these things because I don't think that this testimony is in any way conclusive.

Mr. Gladstein: Well, you may not consider it conclusive, but we consider that it has weight in the case [4899]

Presiding Inspector: I think it is very, very, very remotely relevant. [4900]

Mr. Gladstein: Let me put it this way: The Government has said that Harry Bridges is the head of the Union because he is doing this in accordance with a Communist Policy to get control of a Union.

Presiding Inspector: He is head of the Union because he was elected.

Mr. Gladstein: That isn't what they say. They say he is doing this because he is carrying out a Communist Party policy. That is in effect what their position is. We are trying to show that he is head of the union, that he has been the head of it for these years because he is a good trade unionist and his followers on the Coast are legion in support of him because of his good trade union activities.

Presiding Inspector: Of course, we are discussing this on the basis that the Government claims that he is a member; we are discussing it on that basis.

You overlook, it seems, all this evidence, the point that so far as a member of the union is concerned a man may be a good trade unionist, to use that phrase, and still be a member of the Communist Party, just as your witness, Schmidt, said.

(Testimony of Fred Heiner.)

Mr. Gladstein: Some witnesses believe that; it is true they have so stated.

Presiding Inspector: Yes.

Mr. Gladstein: Others think otherwise.

Presiding Inspector: I think likely Mr. Bridges will say that. [4901]

Mr. Gladstein: He has said that at the previous trial.

Presiding Inspector: The fact that he is a good trade unionist doesn't amount to anything.

Mr. Gladstein: These are not witnesses—this has not been said by any witness on the part of the Government.

Presiding Inspector: I think it is implicit in the doctrines of the Communist Party, which are in evidence here.

Mr. Gladstein: I don't know but what I get this impression from you, Judge: That is, that your position on this matter that we are discussing is largely determined by what you have read in documents, and not by what has been the testimony of the Government witnesses.

Presiding Inspector: The documents are in evidence.

Mr. Gladstein: I realize these documents are in evidence.

Presiding Inspector: I think they are better than the testimony of any of the witnesses, even of Mr. Schmidt, we will say. The documents show the policies of the Party more than the testimony of any witness, don't they?

(Testimony of Fred Heiner.)

Mr. Gladstein: I have heard witnesses for the Government say what the policy of the Communist Party is, and what its tactics are, and what its position is, and how it is impossible for a man to be a good trade unionist and a Communist Party member. I assumed that the Government had some purpose in asking those questions of its witnesses. I assumed that Mr. Del Guercio was trying to prove something to buttress his case. [4902] I think we have a right to take him up on any issue that he presents and to show that he is wrong.

Mr. Del Guercio: The only issue is indicated in the Warrant of Arrest.

Mr. Gladstein: There is another——

Presiding Inspector: I will take this testimony. Go on. That leaves, of course, the question as to what effect I shall think should be given to it.

Mr. Gladstein: How do you mean that?

Presiding Inspector: Whether it has any bearing upon the proposition.

Mr. Gladstein: What is the last question?

Presiding Inspector: Go ahead.

Mr. Del Guercio: May we have a short recess?

Presiding Inspector: No; we will go right on with this witness.

Mr. Gladstein: We join in the request for a recess.

Presiding Inspector: Do you want it?

Mr. Gladstein: Yes.

(Whereupon a short recess was taken.)

Presiding Inspector: Now, Mr. Gladstein, I have

(Testimony of Fred Heiner.)

been thinking this matter over during this recess, which, perhaps was a very good thing to take, and I will limit you to six witnesses. You have had two on this point. That is just six. [4903] too many in my judgment. We are going to rule quite sharply now. The witness will listen to the question closely and merely answer the question.

Let us get through with this. Go ahead.

Mr. Gladstein: I don't know whether there was a question unanswered or not.

Presiding Inspector: We had a long discussion.

Mr. Del Guercio: For half an hour.

Presiding Inspector: If necessary we will lengthen the hours of the session if this takes too long.

Mr. Del Guercio: It is agreeable to us to run to five o'clock if necessary.

Mrs. King: I think we should say that that would not be agreeable to us, but if we are forced to do so we will do it. We are pretty well overworked as it is.

Presiding Inspector: Go ahead.

By Mr. Gladstein:

Q. Now, Mr. Heiner, in addition to the contacts that you had with Mr. Bridges as a member of the District Executive Board, and the other positions that you have already described, have you ever had close contact with him in any strikes involving the Ship Clerks Union? A. Yes.

Mr. Del Guercio: I will object to the question.

(Testimony of Fred Heiner.)

Presiding Inspector: I will take it. [4904]

By Mr. Gladstein:

Q. When was that?

A. In 1939, the latter part.

Q. Were you a member of the Ship Clerks Union at that time? A. That is correct.

Q. Were you active in the strike?

A. I was a member of the Ship Clerks Strike Committee.

Q. Did that position, and your activity in connection with that position, bring you into frequent contact with Mr. Bridges? A. Yes.

Mr. Del Guercio: I will object to the question—

Presiding Inspector: I will take it.

Mr. Del Guercio: (Continuing) —as immaterial and irrelevant.

By Mr. Gladstein:

Q. Have you had an opportunity through these years, to observe the conduct of Mr. Bridges and to be acquainted with his conduct with respect to trade union activities, negotiations, the conduct of strikes, arbitrations, and matters of that kind?

Mr. Del Guercio: I will object to that question unless counsel includes also his activities in the "Wobblies." This witness has testified; and he has qualified himself as being a [4905] good trade unionist, and he started off with being a member of the IWW in 1921 and 1922, and that should be included in the question.

(Testimony of Fred Heiner.)

Mr. Gladstein: I move that be stricken.

Presiding Inspector: There isn't anything to strike. I overrule the objection and the answer may go in. Go ahead.

Mr. Gladstein: I wish your Honor would caution counsel that when he gets a chance to ask questions he can ask anything he wants, and if there is an objection to be made I will object to it. But I have never suggested to him what he should put in his questions and I don't think the Court should permit him to run, not only his side of the table, but to attempt to run the defense too.

Mr. Del Guercio: I wish I could.

Mr. Gladstein: You are attempting to run the whole court room.

Presiding Inspector: Counsel, let's stop. Go ahead.

Answer the question.

The Witness: Will you repeat the question?

(The question referred to was read by the reporter as above recorded.)

Presiding Inspector: Have you had that opportunity?

A. Yes, I have. His conduct——

Presiding Inspector: That is all he asked you, whether you had that opportunity.

By Mr. Gladstein: [4906]

Q. Now, would you say, based on your contact with Harry Bridges in connection with these trade union activities, negotiations, and so on, that he has at all times been a good trade unionist?

(Testimony of Fred Heiner.)

A. Yes.

Mr. Del Guercio: Just a moment, please.

Presiding Inspector: I will take it.

By Mr. Gladstein:

Q. Did you ever observe anything in the actions or the positions taken by Harry Bridges to indicate to you that he was trying to recruit workers into the Communist Party in order to prepare them as stooges for a proletarian revolution?

Mr. Del Guercio: Your Honor, I will object to the question.

Presiding Inspector: I have taken that question before?

Mr. Gladstein: Yes.

Presiding Inspector: I will take it.

A. The answer is "No."

By Mr. Gladstein:

Q. Did you ever, in the course of your trade union contacts with Bridges, observe any conduct on his part, or see him take any position to the effect that workers and employers cannot sit down at a table, bargain collectively in an amicable way, with a result of benefits for the workers involved? [4907]

A. The answer is "No."

Mr. Del Guercio: I object to the question.

Presiding Inspector: I will take it.

By Mr. Gladstein:

Q. During the course of your contacts with Mr. Bridges did you ever observe any conduct by Mr. Bridges which appeared to you to be in support of

(Testimony of Fred Heiner.)

a policy of strikes for strikes' sake without regard to the economic interests of the workers involved?

Mr. Del Guercio: I will object to that.

Presiding Inspector: I will take it.

A. No.

By Mr. Gladstein:

Q. Did you ever observe any conduct on the part of Bridges, or any action taken by Bridges, favoring or advocating any policy of sabotage, industrial violence, or unlawful destruction of property?

A. No.

Mr. Del Guercio: I will object to that.

Presiding Inspector: I will take it. None of these things are suggested, you know, that there is anything of this kind. Go ahead.

You are putting in, as I look on it, you are erecting a straw man and knocking him down. There is no suggestion of any such thing. [4908]

Mr. Gladstein: I beg your pardon, your Honor—

Presiding Inspector: That is the way I look on it.

Go on and ask the next question.

Mr. Gladstein: I don't like the record to be left in that condition.

Presiding Inspector: We can't have discussion. I am just warning you about this matter. This is for your own good, as I look at it.

Go ahead.

(Testimony of Fred Heiner.)

By Mr. Gladstein:

Q. During your contacts with Mr. Bridges has he, within your observation, always followed a policy of advocating strikes only when they were necessary as a last resort to satisfy reasonable economic demands of the workers involved?

Mr. Del Guercio: I will object to that, if your Honor please. This witness hasn't been qualified to show that he knows what an economic matter is.

Mr. Gladstein: I move that remark be stricken. It is an insult. I think you ought to do something in the way of admonishing Mr. Del Guercio.

Presiding Inspector: I will allow it to stand. I think it is a proper objection.

Mr. Gladstein: That last statement of Mr. Del Guercio's?

Presiding Inspector: Yes. What is wrong about that?

Mr. Gladstein: I will tell you what is wrong about it: This witness has gone through the 1934 strike, the 1936 strike, [4909] a strike in 1939, and he has been a trade unionist since he was about 14 or 15 years old. Mr. Del Guercio will never know, as long as he lives, one-hundredth of what Mr. Heiner knows in the way of economic demands, trade unions and trade union activity. And you allow him to make a statement like this, insulting a witness, and when I ask you to admonish him you refuse to do it. It is a direct insult to say that the witness doesn't know what an economic demand is.

(Testimony of Fred Heiner.)

Presiding Inspector: Will you sit down, Mr. Gladstein? I won't hear you further. But we will let Mrs. King examine the witness. Go ahead.

It was a proper objection. That was the claim he made.

Go ahead, Mrs. King.

Mrs. King: I am not prepared to examine the witness.

Presiding Inspector: We will take an adjournment then for ten minutes.

I shan't hear you in this proceeding, Mr. Gladstein, further until you apologize to me for the statement.

(Whereupon a short recess was taken.)

Presiding Inspector: Now, Mrs. King, you may proceed.

Mr. Gladstein: Before we continue, your Honor, I wish the record to show that I apologize for the remarks that I made. I meant no imputation of any kind as to the partiality or impartiality, or fairness of the Court. My remarks apparently contain an implication which could be interpreted that way. I had no such intention. I am sorry, though, the [4910] remarks contained such implication.

My remarks were the result of feeling that I had, not against the Court, but against counsel on the other side.

I am sorry I made the remarks.

Presiding Inspector: I accept that statement, Mr. Gladstein. You may proceed to examine the witness.

(Testimony of Fred Heiner.)

By Mr. Gladstein:

Q. Mr. Heiner, in the course of your contacts with Mr. Bridges have you ever observed any conduct on his part that would indicate that he was a Communist, or a member of the Communist Party?

Mr. Del Guercio: I object to the question.

Presiding Inspector: Indicate to you, that is.

A. No.

Mr. Gladstein: I think that is all.

Presiding Inspector: You may examine.

Mr. Del Guercio: Mr. Myren will take over the examination.

Mr. Gladstein: There is one more question, if I may be permitted.

By Mr. Gladstein:

Q. Aside from the two arrests, Mr. Heiner, that you mentioned that occurred during the 1934 strike, and I think you said you were not convicted on either one—

A. (Interposing): That is correct. [4911]

Q. (Continuing): —have you ever been convicted of any crime?

A. No, sir.

Q. Have you ever been arrested, aside from the two occasions during the 1934 strike?

A. Yes, sir.

Q. When?

A. The exact year I don't remember.

Q. How old were you at that time?

A. I must have been around 16 years old.

Q. What was the arrest for and where did it take place?

(Testimony of Fred Heiner.)

A. In Klamath Falls, Oregon. I was picked up on suspicion of train robbery.

Q. What were the circumstances?

A. The train was dynamited. They picked up everyone in town. Later on three men were convicted of the crime.

Q. Do you know who these three men were?

A. The D'Autromont brothers.

Q. Do you know how many persons were picked up by the police in connection with that?

A. Quite a few in Klamath Falls.

Q. What happened as far as you were concerned?

A. I was dismissed.

Mr. Gladstein: You may cross examine. [4912]

Cross Examination

By Mr. Myron:

Q. Are you presently a member of any union?

A. Yes, sir. Of the Ship Clerks.

Q. When did you become a member of that union?

A. Around two years ago, I believe.

Q. Have you held any positions in that union?

A. None whatsoever.

Q. How did you become a member of the union?

A. I transferred from the Longshoremen's Union into the Ship Clerks Union.

Q. Were you appointed to the Union?

A. No, sir. I was elected to the Union.

Q. Elected to membership in it?

A. Yes, sir.

(Testimony of Fred Heiner.)

Q. Originally when you became a member of the Union?

A. Yes, sir; when I became a member of the Union.

Q. Did Mr. Bridges have anything to do with your membership in the Ship Clerk's Union?

A. None.

Q. What is your present position?

A. My present position?

Q. Yes. A. Is a ship clerk. [4913]

Q. A ship clerk? A. Yes, sir.

Q. And what is that association that you spoke of and belong to at the present time? Association of ship clerks? A. It is the union.

Q. Is that the union?

A. That is a union. It is an ILWU union.

Q. I see. And that is a union you spoke of that you are now a member of? A. Yes, sir.

Q. When did you become a member of the IWW?

A. I believe to be exact in 1921.

Q. And how did you become a member?

A. I was working on a construction job for Stone & Webster at Belden, California, on the Caribou Project, a hydro-electric project.

Q. My question is, How did you become a member?

A. Well, it was the only union that I was asked to join and I joined.

Q. Did you receive a membership book?

A. I didn't hear your question.

(Testimony of Fred Heiner.)

Q. Strike that out. Did you apply for membership? A. Yes, sir.

Q. And you received the membership book?

A. That is correct. [4914]

Q. Do you have that membership book now?

A. No, sir. I have lost it years ago.

Q. How long did you remain in the IWW?

A. About three years.

Q. And what years were those?

A. I believe '21, '22 and '23.

Presiding Inspector: When were you born?

By Mr. Myron:

Q. Are you a member of the Communist Party?

Presiding Inspector: Just a moment! Let us find out when he was born.

When were you born?

The Witness: October 26, 1906.

By Mr. Myron:

Q. Are you a member of the Communist Party?

A. No, sir.

Q. Have you been at any time?

A. No, sir.

Q. A member of the Communist Party?

A. The answer is No.

Q. Are you familiar with the policies of the Communist Party? A. No, sir.

Q. Would you be able to determine the policies of the Communist Party in trade unions, what the policies of the [4915] Communist Party were at the

(Testimony of Fred Heiner.)

time of any issue being presented before the trade union?

A. I don't believe I would.

Q. How long have you *know* Mr. Bridges?

A. Since 1923.

Q. And when did you become acquainted with—where did you become acquainted with Mr. Bridges?

A. On the San Francisco waterfront.

Q. You were working at that time?

A. As a longshoreman.

Q. And Mr. Bridges was working at that time?

A. That is correct.

Q. As a longshoreman? A. Yes, sir.

Q. I think you stated that you were a member of the Blue Book Union? A. That's correct.

Q. Was Mr. Bridges a member of the Blue Book Union, too?

A. I do not know, honestly.

Q. Did you know where Mr. Bridges was employed at the time that you first met him?

A. The same employer that I was employed for.

Q. Working for the same company?

A. Yes, sir. [4916]

Q. What company was that?

A. The California Stevedore & Ballast.

Q. And when did you become a member of the ILA?

A. In the latter part of October or the first part of November of 1933, I don't remember. It is either that last week of October or the first week of November.

(Testimony of Fred Heiner.)

Q. That is in what year? A. 1933.

Q. That is about 10 years after you were working on the waterfront? A. That is correct.

Q. And during the time that you were working on the waterfront prior to the time that you became a member of the ILA, were you friendly and associated socially with Mr. Bridges? A. Yes, sir.

Q. And that friendship continued over the period of time when you first met him?

A. That is correct.

Q. To date. When did Mr. Bridges become a member of the ILA?

A. I believe in July, 1933.

Q. And what month did you become a member?

A. November.

Q. When was the ILA formed?

A. In the latter part of June. The first initiation, I believe, was in July of 1933. [4917]

Q. And subsequently you became a member of the successor of the ILA; that is the ILWU?

A. That is correct.

Q. How often did you meet Mr. Bridges during the time that you were a member of the ILA?

A. How often?

Q. Yes. A. Weekly.

Q. Once a week?

A. Well, we worked at the same docks. I should say daily.

Q. You met him daily?

A. Practically every noon hour we used to talk to each other.

(Testimony of Fred Heiner.)

Q. And over what period of time would that be?

A. Oh, I guess from around July of '33 until the strike.

Q. July of 1933 until the time the strike began?

A. Yes.

Q. Was he ever absent from work?

A. I didn't hear your question.

Q. Was he ever absent from his work on the waterfront while you were working with him?

A. Not to my knowledge. He may have been, but, I mean, I—he worked at one dock and I worked at the other dock for the same company.

Q. But you stated you met him daily? [4918]

A. During the lunch hour we used to meet quite frequently.

Q. How many times was he absent during the day from work?

A. None to my knowledge. You couldn't leave work in those days.

Q. Then, you say, your testimony is that during his employment there in the same firm that you worked for he wasn't absent from work on any day?

A. Oh, I couldn't say that. He may have been absent on some days, but, I mean, on the days that we were working, why, we would usually meet during the lunch hour.

Q. Then, as I understand it, the only times that you—that is, your conclusion is that when he was working you met him, but you don't know when he was absent from work; is that it?

(Testimony of Fred Heiner.)

A. No, nor when I was absent. I may have taken some time off or something.

Q. Did you hold any position in the ILA union?

A. Yes, sir.

Q. In 1933 or '34, prior to the strike?

A. I held none prior to the strike.

Q. And when did the strike stop?

A. The 9th of May, 1934, I believe.

Q. Now, did you hold any position during the strike in the ILA? [4919]

A. Shortly after the strike was called I was appointed to the Defense Committee by the Strike Committee.

Q. When was that?

A. Oh, after the first week of the strike, I believe.

Q. Do you know the date?

A. No, I couldn't remember it exactly.

Q. How were you appointed?

A. How was I appointed?

Q. Yes.

A. Well, just a group of names were suggested to these Committees and they were appointed by vote of the strike committee.

Q. A group of names was suggested to—

A. (Interposing): That is, the members of the Union.

Q. (Continuing): —whom?

A. To the Strike Committee.

Q. While you were a member of the Strike Committee?

A. That is correct.

(Testimony of Fred Heiner.)

Q. How did you become a member of the Strike Committee?

A. How did I become a member of the Strike Committee?

Q. Yes.

A. At a Union meeting prior to the strike.

Q. When you spoke of a group of names being suggested what did you have in mind?

A. The Defense Committee. [4920]

Q. Well now, I am talking about the Strike Committee. Were you a member of the Strike Committee? A. Yes, sir.

Q. Well, how did you become a member of the Strike Committee?

A. At a membership meeting of the Union.

Q. And what was done?

A. Well, the Committees were formulated before the strike and each one was given their assignment. I believe myself, in my particular case, that I was unassigned.

Q. This is the Strike Committee I am talking about. How did you become a member of the Strike Committee?

Presiding Inspector: I think you had better suggest what you mean.

Mr. Myron: I think the witness has in mind the Strike Committee.

Presiding Inspector: I am not sure that he understands how he became a member, what you mean.

(Testimony of Fred Heiner.)

By Mr. Myron:

Q. Well now, you were a member of the ILA at the time the strike began, is that right, in 1934?

A. That is correct.

Q. And you said about a week later you became a member of the Strike Committee.

A. Of the Defense Committee.

Q. Were you a member of the Strike Committee? [4921]

A. I was a member of the Strike Committee before the strike had started. The Union had set up its Strike Committee before the strike.

Q. How soon before the strike?

A. That I couldn't recollect. Approximately, I think it was about two or three meetings prior to the strike.

Q. And then how did you become a member of the Strike Committee?

A. Well, most of the men who served on the original Strike Committee volunteered for that service at a union meeting and were given the confirmation there at the meeting.

Q. I am talking about the original Strike Committee. How did you become a member of the original Strike Committee?

A. That is the way.

Q. How?

A. Most of the men who served on that Committee volunteered on the original Strike Committee.

Q. Did you volunteer?

A. I believe I did.

Q. Did anybody suggest your name?

(Testimony of Fred Heiner.)

A. None to my knowledge.

Q. And then what was done with the volunteers? Were they all appointed to the Strike Committee?

A. By the membership meeting. They were appointed by the membership. [4922]

Presiding Inspector: That is, a vote was taken?

The Witness: Yes, elected.

By Mr. Myron:

Q. Let me understand you. You say that you were a member of the original Strike Committee. Now, that was a Committee which was established prior to the strike?

A. That is correct.

Q. Now, and you became a member of that Committee in what way?

A. Through volunteering at a regular membership meeting.

Q. And was anything done with the names of the persons who volunteered? Were they elected or selected?

A. They were, I believe you would call it, selected at a membership meeting.

Q. And who selected the volunteers?

A. The Chairman of the meeting had them confirmed by the membership.

Q. Who was the Chairman?

A. Lee Holman.

Q. And he selected the names of the persons who volunteered to be members of this original Strike Committee, is that right?

A. Yes, I believe so.

Q. When was that?

(Testimony of Fred Heiner.)

A. I think about a month or maybe not. I think we met [4923] that time over two weeks and it was either one or two meetings prior to the strike.

Q. That was about two weeks prior to the 1934 strike, is that right? And you say that Lee Holman selected you to serve on this Committee?

A. No. Lee Holman only acted in the capacity of Chairman. The men were elected by the membership present at that meeting.

Q. You say that you were selected to serve on the original Strike Committee, is that right?

A. That is correct.

Q. And Mr. Holman was the one who had charge of selecting the names of those who volunteered?

A. That is correct.

Q. And he was Chairman of the Committee, is that right?

A. No. He was President of the Union and Chairman of the meeting on that particular occasion.

Q. When did Holman serve as President of the ILA?

A. He was their first President.

Q. And when did his official position in the Union as President end?

A. Right shortly before the strike.

Q. This was at the time——

A. (Interposing) Just shortly——

Q. (Continuing) —that the original Strike Committee was selected? [4924]

A. That is correct.

Q. Preparations were made for the strike?

(Testimony of Fred Heiner.)

A. Yes.

Q. And Lee Holman was then President?

A. (Nodding affirmatively.)

Mr. Del Guercio: Did the reporter get the answer?

The Reporter: I got it.

Mr. Del Guercio: Nodding in the affirmative?

The Reporter: That is right.

By Mr. Myron:

Q. And you say subsequently those who served on the original Strike Committee served on the Strike Committee in the 1934 strike, is that right? The general Strike Committee?

A. I don't know what you are referring to.

Q. Well, was there any difference in the personnel of the Strike Committee, the original Strike Committee, and the Strike Committee that served in the 1934 strike?

A. (Shaking head negatively.)

Mrs. King: Mr. Heiner, will you say something instead of just shaking your head?

Presiding Inspector: I am not sure that he understands.

A. (Continuing): I think the only difference in the personnel was one man, Mr. Holman himself. He was removed as President of the Union.

By Mr. Myron:

Q. And he was removed from the Strike Committee? [4925]

A. I believe that is correct. And Joe Johnson,

(Testimony of Fred Heiner.)

the Vice-President was then President of the Union. He succeeded the—the Vice-President succeeded the President.

Q. Now, how long did you serve on the Strike Committee?

A. From approximately the first day of the strike, and about a week later I was elected to the Defense Committee, which was part of the—

Q. (Interposing): I am talking about the Strike Committee. How long did you serve on the Strike Committee?

A. The entire length of the strike.

Q. And who were the other members of that Committee? I will withdraw that.

How many members?

A. Approximately a hundred, I would say.

Q. About a hundred members. Now, there were sub-committees appointed?

A. That's correct.

Q. And how were they appointed?

A. By selection.

Q. Whose selection?

A. The selection of the men present at the strike meeting, the Committee meetings.

Q. And who was Chairman of the Strike Committee?

A. Mr. Bridges.

Q. Now, what sub-committee did you serve on?

A. The Defense Committee. [4926]

Q. And who appointed you?

A. Who appointed me?

Q. To serve.

(Testimony of Fred Heiner.)

A. Mr. Dietrich, I believe, asked me if I would help. He was Chairman of that Committee and he asked me if I would want to serve on that Committee.

Q. And who appointed Mr. Dietrich?

A. The original Strike Committee.

Q. Then they appointed a one-man committee? The original Strike Committee appointed a one-man committee?

A. No. I believe there was one other man besides him on that, a man named Michaelson.

Q. And how was he appointed?

A. That I don't know. I don't believe I was present at the meeting at that particular time. I was—I believe, if I am not mistaken, I was on the Relief Committee just a few days prior.

Q. Then so far as you know Mr. Dietrich was appointed by the General Strike Committee?

A. That is correct.

Q. To serve on this sub-committee?

A. That is correct.

Q. And then he selected you and another man to serve with him, is that right?

A. That is correct. And then they were brought before the Strike Committee and approved by the Strike Com- [4927] mittee.

Q. The names of these two men, your name and the other man, were brought before the Strike Committee?

A. Speaking in my own case only. I don't know how the other man was selected.

(Testimony of Fred Heiner.)

Q. Was your name brought before the Strike Committee? A. That is correct.

Q. When was that?

A. About a week after the strike.

Q. And what took place at that meeting, if you know? You were there?

A. I was there; yes sir.

Q. What took place?

A. They asked me if I would serve on the Defense Committee.

Q. Who asked you? A. Mr. Dietrich.

Q. This was before the General Strike Committee, is that right?

A. Yes. He had seen me in the morning and he asked me if I would like to serve on the Strike Committee, and I told him that I would. And there was some objection to me being there and finally I was placed there.

Presiding Inspector: You misspoke there. Just read that answer.

(The answer referred to was read by the reporter as above recorded.) [4928]

The Witness: I was elected there.

Presiding Inspector: No. You say he asked you if you would like to serve on the "Strike Committee". Do you mean the Defense Committee?

The Witness: The Defense Committee.

Presiding Inspector: Yes.

By Mr. Myron:

Q. That was the time that your name was

(Testimony of Fred Heiner.)

brought before the General Strike Committee?

A. That is correct.

Q. And Mr. Dietrich took you aside in the committee room and asked you if you would like to serve on the Committee, and you said "Yes"; is that right?

A. No. It was on the street, I believe, in the morning he asked me.

Q. Well now, you spoke about your name being brought before the Strike Committee. Would you explain that?

A. When any man was elected to any Committee—

Q. (Interposing): No, I am just speaking of your case. What took place in your case? You spoke about your name being brought before the Strike Committee.

A. Well, my name was suggested by Dietrich, I believe. He was the one who brought it up.

Q. At a meeting?

A. At a meeting of the Strike Committee.

Q. Were you there? [4929] A. Yes, sir.

Q. And he proposed your name. Was there a motion?

Presiding Inspector: That isn't the way he said.

Mr. Myron: I am trying to understand just how he was appointed.

Presiding Inspector: As I understand it, Mr. Dietrich had spoken to him on the street in the morning and then he came to this meeting, and at the meeting—before the meeting Mr. Dietrich asked

(Testimony of Fred Heiner.)

the witness whether he would serve on the Defense Committee and, the witness having said he would, there was a confirmation of it by vote of the members of the Strike Committee. [4930]

By Mr. Myron:

Q.* Is that true? A. That is correct.

Presiding Inspector: That was as I understood his testimony.

By Mr. Myron:

Q. Who was the Chairman of that meeting?

A. Mr. Bridges.

Q. Mr. Bridges?

A. You mean of the General Strike Committee?

Q. The meeting at which your name was proposed. A. Mr. Bridges.

Q. How long did you serve on that committee?

A. On the Defense Committee?

Q. That is right.

A. Until after the strike.

Q. That is, Mr. Dietrich, you and another individual? A. Yes.

Q. What was his name?

A. Michaelson, but he withdrew and there was just Mr. Dietrich and I.

Q. What were your duties as a member of this Committee?

A. To try to arrange bail for the men arrested and appoint, or see that they were given proper counsel. We had to arrange for counsel at their trials. [4931]

(Testimony of Fred Heiner.)

Q. Now, did you confer with any individuals, or any associations or organizations in connection with your duties?

A. The General Strike Committee.

Q. That was the only organization?

A. That is the only organization.

Q. You didn't solicit the advice of counsel of any other organization?

A. No, sir. We had our own counsel, a man by the name of Leo Collins.

Q. Neither as an individual, nor as a member of this Committee, on those matters which were in the scope of your jurisdiction you didn't confer with any other organization, or any other individual, with the exception of the Strike Committee, is that right?

A. With the Strike Committee, and attorneys, local attorneys practicing here in San Francisco.

Q. Who were the local attorneys?

A. Mr. Leo Collins was the attorney for the union; and Mr. Vincent Hallahan handled a couple of cases; and Mr. Charles O'Connor was another one. There were two more, but I don't recall their names.

Q. Two more attorneys? A. Yes, sir.

Q. And those are the only individuals, with the exception of the Strike Committee, is that right, with whom you conferred? [4932]

A. That is right.

Q. Now, did you confer with the Strike Com-

(Testimony of Fred Heiner.)

mittee as a whole, or with individual members of the Strike Committee?

A. It was the custom to make a daily report to the entire Strike Committee.

Q. Were they in session every day during the 1934 strike?

A. I believe there were some Sundays they didn't serve, but every week day they did meet.

Q. They met every day with the exception of Sundays?

A. Well, they didn't meet on some Sundays.

Q. What time of the day?

A. At two o'clock in the afternoon.

Q. They didn't change that time at any time during the strike, is that right?

A. On numerous occasions it was changed.

Q. On numerous occasions it was changed?

A. Yes; changed to morning meetings.

Q. When they had morning meetings they didn't have afternoon meetings, is that so?

A. Sometimes they did and sometimes they held meetings in the morning and in the afternoon. Sometimes we met twice daily.

Q. And you say that the membership of that General Strike Committee was approximately 100?

[4933]

A. Somewhere in that vicinity. It was a large Committee.

Q. Did you know any of the members of the Strike Committee?

A. I believe I knew them all.

(Testimony of Fred Heiner.)

Q. You knew them all?

A. Yes; from working with them. They were all longshoremen working on the job.

Q. Could you give us the names?

A. That is, the entire hundred?

Q. The names of some of them.

A. Surely. Henry Morrisse, McGuire—

Q. (Interposing): What?

A. McGuire, Harry Lynch, Robert Boyce, Roger McKenna, Harry Curtis, John Schomaker, Schmidt, Fred Frater, Ralph Mallen—I could go on continuously, I believe.

Q. That will be sufficient. I believe you stated that you conferred with this Committee daily?

A. That is correct.

Q. From the time that you became a member of this Sub-Committee to the end of the strike, is that right?

A. No. I was off a few days; that is, I was off three days on one occasion shortly after—I believe it was during the general strike.

Q. Now, was the entire membership of the Committee present when you gave your report?

A. The entire membership of the General Strike Committee?

Q. Yes. [4934]

A. No. At different times members were missing who were excused because they were doing work so it wouldn't be possible for them to get there at that time.

Q. Would there be records of those meetings at

(Testimony of Fred Heiner.)

which you made reports to the General Strike Committee?

A. There were records kept at that time.

Q. Who kept those records?

A. I believe the Secretary, a man by the name of Frater.

Q. Are those records in existence, if you know?

A. I wouldn't have that knowledge; I really wouldn't know.

Q. Would those records contain the names of the members who were present at various meetings?

A. That is correct; yes, they would.

Q. Was Mr. Morrisse present on the days that you made your reports to the strike committee?

A. Mr. Morrisse?

Q. That is right.

A. On some occasions; yes.

Q. How many times was he absent?

A. That I wouldn't have no way of telling.

Q. Do you know what days he was present and what days he was absent?

A. Well, he was there the biggest portion of the time. He was serving on another Committee, I believe, and it is possible [4935] there would be days when he wasn't there.

Q. When you speak of the great portion of the time, how many days would you say he was absent from the Committee meetings?

A. Very few.

Q. Would you know what days those were?

A. I wouldn't have no way of knowing.

(Testimony of Fred Heiner.)

Q. You spoke of Mr. Schomaker as being a member of this committee. How many days was he present at which you gave reports to the Committee?

A. He was present practically all the time, with the exception of the time he was in jail, I believe.

Q. When you say "practically" do you know the number of days he was present and the number of days he was absent?

A. Not directly. He was there the biggest portion of the time. He was head of the Publicity Committee.

Q. You wouldn't know how many days he was absent from the meetings, would you?

A. No, that I wouldn't know.

Q. Approximately?

A. I would say approximately not over five or six days during the whole strike, if he were absent.

Q. Do you know—I only want your knowledge.

A. To be truthful about it, I don't know how long he was in jail. [4936]

Q. Well, aside from the time he was in jail, if you know, how many days was he absent from the Strike Committee?

A. Not once to my memory.

Q. That is, of your own knowledge?

A. Well, I believe every time I was present he was there.

Q. And you were there every day, is that correct?

A. With the exception of about three days.

Q. With the exception of three days?

(Testimony of Fred Heiner.)

A. Yes; and I believe we had a trial at Modesto——

Q. (Interposing): What?

A. I believe there was a trial in Modesto around that time. In the mornings I would go up with the attorney and I wasn't present.

Q. How many days?

A. Two or three, I believe.

Q. That is two or three additional days, in addition to the days you have already mentioned?

A. Yes.

Q. And that may have been about a week in all?

A. Yes; something like that.

Q. About a week in all. And then you might say the meetings of the Strike Committee, which were held during the 1934 strike, about six or seven days?

A. That is correct.

Q. Would it be any more?

A. No, sir. [4937]

Q. How many days during that strike were meetings held in the morning?

A. I would say about, well, to be exact, three times to my knowledge that meetings were held in the morning.

Q. And the rest of the time the meetings were held in the afternoon? A. In the afternoon.

Q. From what time?

A. They would start at 2:00 and last approximately from an hour to two hours, according to the amount of business to be transacted at that meeting.

Q. Would you remain in those meetings?

(Testimony of Fred Heiner.)

A. Yes, sir.

Q. From the beginning to the end?

A. Not always until the end.

Q. How long would you remain at those meetings?

A. If we didn't have any cases in Court, which would come up on the afternoon calendar, we would remain until the meeting was ended; and if we had cases in court why, we would go up to the Hall of Justice in the afternoon. [4938]

Q. Now, if you didn't have any reports to make would you attend the meetings? A. Yes, sir.

Q. You would attend them? A. Yes, sir.

Q. Did you make the reports yourself?

A. Alternating with Mr. Dietrich.

Q. Well then, when Mr. Dietrich made the reports did you accompany Mr. Dietrich?

A. That's correct. Yes, sir.

Q. To the Strike Committee rooms?

A. Yes, sir.

Q. You came with him? A. Yes.

Q. And when you made the reports did Mr. Dietrich accompany you? A. Yes, sir.

Q. And Mr. Dietrich would be there on all occasions?

A. Not on all occasions. Sometimes he would have other business to attend to and he would tell me to make the report.

Q. How many times was Mr. Dietrich absent during the 1934 strike?

A. At the Committee meetings?

(Testimony of Fred Heiner.)

Q. At the Strike Committee meetings? [4939]

A. Two days to my knowledge.

Q. Who presided over the Strike Committee?

A. Mr. Bridges.

Q. At all times?

A. Not at all times. Sometimes he would be away and there would be an alternate Chairman selected.

Q. Who was the alternate Chairman?

A. It would be one of the men, whoever they happened to elect. They would elect a Chairman each time.

Q. On how many occasions during the 1934 strike did you have an alternate Chairman?

A. Well, to my knowledge I would say three times: Once Mr. Bridges was sent over to a meeting of the Sailor's Union—

Q. (Interposing): I am talking about the alternate Chairman. How many times did you have an alternate Chairman during the 1934 strike?

A. On three different occasions.

Q. And who was the individual or individuals that acted as alternate Chairmen?

A. On one occasion I remember a man named Davis acting as Chairman; on another occasion I believe Jack Creary, I think was his name; and a third occasion I believe the Vice-President, or the President of the Local, Mr. Joe Johnson acted.

[4940]

Q. Did Mr. Schomaker ever act as Chairman?

A. Not to my knowledge.

Q. Well, you would know, wouldn't you?

(Testimony of Fred Heiner.)

A. The answer would be No.

Q. He didn't? A. No.

Q. He never acted as Chairman? A. No.

Q. Did Mr. McKenna act as Chairman?

A. No, not to my knowledge.

Presiding Inspector: I think this is a good place to recess for lunch.

(Whereupon, at 12:40 o'clock P.M. a recess was taken until 2:00 o'clock P.M. of the same day.) [4941]

After Recess

2:00 O'clock P.M.

Presiding Inspector: Now, Mr. Myron, you may proceed.

FRED HEINER

called as a witness on behalf of the Alien, having been previously duly sworn, testified further as follows:

Cross Examination

(Resumed)

Mr. Myron: May I have the last question read, please?

(The question and answer referred to were read by the reporter as recorded.)

By Mr. Myron:

Q. Do you know of any person, other than the three mentioned, who acted as Chairman at any of these meetings during the 1934 strike?

(Testimony of Fred Heiner.)

A. No.

Q. Now, in connection with your duties on this Defense Committee, I believe you stated that you made appearances in Court and provided for bail for those people who were arrested, is that right?

A. No; that is not correct. I didn't say we made appearances in court.

Q. You made no appearances?

A. We made no appearances.

Q. I understood you to say that. Did you at anytime appear in court in connection with the arrest— [4942]

A. (Interposing): I, personally; no.

Q. (Continuing): —or in connection with the bail of any person who was arrested during the 1934 strike?

A. Usually bail was arranged in the Judge's chambers or at their homes at night.

Q. Did you appear in the Judge's chambers in behalf of the Defense Committee? A. Yes.

Q. And on how many occasions would you say you appeared in that capacity?

A. There were really too many, too numerous to remember.

Q. Well, approximately?

A. I would say about 30 or 40 times.

Q. That is, during the 1934 strike?

A. Yes.

Q. And those appearances would be made during the day, is that right?

A. Or in the evening, if the arrests occurred at

(Testimony of Fred Heiner.)

night; sometimes we would go to the Judge's home and have him set bail.

Q. How many times did you appear in the Judge's chambers during that period of time?

A. I believe about 30 or 40 times during the strike.

Q. And what time during the day would these appearances be made?

A. Usually in the—— [4943]

Q. (Interposing): At various times?

A. At various times usually in the late afternoon.

Q. I see. A. After Court was over.

Q. Did you ever, as a member of the Defense Committee, pass on a question of accepting aid from the ILD?

A. No, sir.

Q. Was that question before the Committee?

A. Yes, it was; before the Strike Committee.

Q. Was it before the Defense Committee?

A. No, sir.

Q. Did the Defense Committee have anything to do with that matter?

A. The Defense Committee at one time were asked to investigate it, and I believe Mr. Dietrich did—I was not present when the investigation was made.

Q. Was the question ever submitted by the Strike Committee to the Sub-Committee, the Defense Committee?

A. No, it was the other way around. I believe it was submitted on recommendation from the De-

(Testimony of Fred Heiner.)

fense Committee to the Strike Committee and it was rejected by the Strike Committee.

Q. Is it your understanding, then, that the question was originally submitted to the Sub-Committee?

A. First. Yes, I believe that's correct.

Q. And then the Sub-Committee recommended some action on [4944] that to the Strike Committee, is that right?

A. After an investigation by the Defense Committee.

Q. Now, did you participate in that matter when it was before the Defense Committee in any way at all?

A. No, sir.

Q. You made no recommendation to have it submitted to the Strike Committee?

A. No, sir.

Q. Was the question put to you for consideration by a member—by any member of the Defense Committee?

A. Yes, it was; by Mr. Dietrich. And I don't remember the occasion, but I was busy at the time and I told him "Well, whatever you do is all right with me."

Q. What did Mr. Dietrich say to you in that regard?

A. He said that he was told to—I believe there was, oh, a program of aid to men who were arrested and that he was going to investigate it and asked me if I wanted to go along, and I just happened to be busy at the time and did not go. I had nothing to do with any recommendations of the ILD or to the ILD, from the Strike Committee.

(Testimony of Fred Heiner.)

Q. Well, you stated that Mr. Dietrich asked you whether or not you were in accord with obtaining aid from the ILD and you said "Whatever you do I'll go along?"

A. Yes, that is correct.

Q. Now, did you report that to the Strike Committee?

A. No, Mr. Dietrich did. [4945]

Q. Were you present when Mr. Dietrich did?

A. Yes.

Q. And what did Mr. Dietrich say in proposing the acceptance of aid from the ILD?

A. He was against it. He was not in favor of it at all.

Q. He stated that to the Strike Committee?

A. That's correct.

Q. Is that right?

A. Yes.

Q. And what action did the Strike Committee take?

A. They took the recommendation of Mr. Dietrich and the Defense Committee and voted it down.

Q. Now, isn't it a fact that you went to 121 Haight Street with Mr. Dietrich?

A. I have never—

Q. (Interposing): And conferred with Elaine Black on this question?

A. I have never been to 121 Haight Street.

Q. Did Mr. Dietrich go there?

A. I believe he did.

Q. Do you know that?

A. Yes.

Q. Who accompanied Mr. Dietrich?

A. I think Mr. Michelson at the time.

(Testimony of Fred Heiner.)

Q. He was the other member?

A. Yes.

[4946]

Q. And you state now that you were not present with Mr. Dietrich and Mr. Michaelson?

A. That's correct.

Q. At 121 Haight Street?

A. Yes, sir.

Q. When was that conference held?

A. It must have been in June; oh, I would say the early part of June of 1934.

Q. Was Mr. Bridges there?

A. I do not know.

Q. You know that Mr. Michaelson and Mr. Dietrich were there?

A. Yes, that's correct.

Q. You don't know whether Mr. Bridges was there, is that true?

A. That is correct. I don't remember whether he went there or not. I really couldn't say.

Q. And you say that you were not there?

A. That is correct.

Q. When did you learn about this, this meeting at 121 Haight Street between or among Mr. Dietrich, Mr. Michaelson and Elaine Black, as you have stated?

A. Well, the meeting between Mr. Michaelson and Mr. Dietrich and who they were to meet at 121 Haight Street, I don't know. Whether it was Elaine Black or anyone else. But [4947] I knew that they were going there to discuss the question of the I.L.D.

Q. Who told you that?

A. At the Strike Committee. It was brought up in the afternoon.

(Testimony of Fred Heiner.)

Q. At the Strike Committee?

A. Meeting. Yes, sir.

Q. And when was that? Prior to the time that it came before the Defense Committee?

A. No, at the same time. I believe on the same afternoon.

Q. Then Mr. Dietrich—let me get this straight. You say that it was first brought up before the Defense Committee, is that right. A. Yes.

Q. And then the Defense Committee brought it into the Strike Committee? A. Yes, sir.

Q. And then Mr. Dietrich and Mr. Michaelson proceeded to 121 Haight Street and conferred with somebody there, is that right?

A. Well, when they went there—I mean, directly from the Strike Committee meeting, I do not know. But they did go, I believe.

Q. Well, subsequent to the time it was brought before the Strike Committee they went to 121 Haight Street? A. That is correct. [4948]

Q. And after that you learned about their visit to 121 Haight Street? A. That is correct.

Q. Now, how soon after that?

A. h, I believe around three or four days after the meeting I was talking to Mr. Dietrich down in the Hall of Justice one morning and he told me what had transpired there.

Q. And what did he say to you?

A. He told me that he wasn't in favor of—

Q. (Interposing): What did he say to you about this meeting at 121 Haight Street?

(Testimony of Fred Heiner.)

A. Nothing at all. I mean, he stated their proposition of aiding the Local in defense, and that he was not in favor of it. And that is all there was to it.

Q. Did he say that he had gone to 121 Haight Street?

Mr. Gladstein: I think that has been asked and answered three or four times.

Presiding Inspector: He says that he knows they went and that he learned it from Mr. Dietrich. Of course, I am not sure that it is very clear when he learned.

Mr. Myron: Will you ask the question again?

(The question referred to was read by the reporter as above recorded.)

Presiding Inspector: That is what you are asking.

The Witness: And the answer was "Yes."

[4950]

Presiding Inspector: He has answered that.

By Mr. Myron:

Q. He told you that? A. Yes, sir.

Q. And when did he tell you that?

A. A couple of days later—at the Hall of Justice.

Q. Now, when did he ask you if you were in favor of accepting aid from the ILD?

A. Previous to his going to 121 Haight Street.

Q. How soon thereafter, or how recent?

A. If I am not mistaken, the day before.

Q. The day before he went to 121 Haight Street?

A. It was either that day or the day following, I believe.

(Testimony of Fred Heiner.)

Q. Now, that was the first time you heard anything about the question of accepting aid from the ILD, is that right? A. That is correct.

Q. Then what you stated about hearing this brought up in the Defense Committee, and in the Strike Committee, is not true, is that right?

A. It is. It happened on the same day; it all occurred on the same day. He came to me before the meeting. It was brought up at the meeting and, I believe—

Q. (Interposing): What meeting are you referring to?

A. The meeting of the General Strike Committee.

Q. What was brought up then? [4951]

A. As to the sending of someone up to 121 Haight Street to investigate the ILD.

Q. And then subsequent to that time it was brought before the Strike Committee?

A. I believe it was brought to the Strike Committee on the same day.

Q. And nothing was done about it, is that right?

A. I believe they were told to go and investigate it, if I am not mistaken.

Q. And you say four or five days later Mr. Dietrich told you that he had been to 121 Haight Street? A. That is right.

Q. Now, was it referred back to the Strike Committee? A. Yes, it was.

Q. A report of that conference at 121 Haight Street? A. Yes, sir.

Q. Who reported that? A. Mr. Dietrich.

(Testimony of Fred Heiner.)

Q. Would that be in the minutes of the meeting? A. Yes, sir; it should be.

Q. In considering this question before the Strike Committee who was Chairman, who presided? A. Mr. Bridges.

Q. And as a result the Strike Committee requested Mr. Dietrich and others to go down to 121 Haight Street and investi- [4952] gate, is that true?

A. Yes.

Mr. Gladstein: One moment.

Mr. Myron: His answer is "Yes."

Mr. Gladstein: I move that the answer be stricken for the purpose of making an objection.

Presiding Inspector: That may be done.

Mr. Gladstein: The form of the question is such that it contains an implication that should not be in the record. I object to the question. It says "As a result," undoubtedly referring to the previous question. That is the only reference it could have. The previous question had to do with who was the Chairman. The question was phrased, "as a result, was the matter submitted to the Strike Committee."

Presiding Inspector: I think you had better rephrase the question.

By Mr. Myron:

Q. Well, the matter was brought before the Strike Committee, is that true?

Mr. Gladstein: I want to object to this because counsel is not making clear in his questions which occasion he is referring to. It appears by the testi-

(Testimony of Fred Heiner.)

mony of the witness that there were at least two, and perhaps more, I don't know, instances when the Strike Committee considered the matter.

Presiding Inspector: I am a little confused about it myself, [4953] although it may be clear to the witness. But there seems to have been some questions, and some answers, which are capable of different interpretations.

Mr. Gladstein: That is why I suggest that counsel when he is asking the witness about the matter being brought before the Strike Committee——

Mr. Myron: (Interposing): I think the witness understands the question.

Presiding Inspector: Maybe the witness does. I wouldn't attempt to say that he didn't. I am a little confused myself.

Mr. Myron: I would rather have the witness answer the questions than have Mr. Gladstein answer them.

Presiding Inspector: The witness, of course, is the one to answer the questions.

Mr. Gladstein: I am concerned about the state of the record. I think when we read the record we will have difficulty in understanding what is referred to.

Presiding Inspector: You will have a chance to straighten that out, if you desire, on redirect. Go on. I think there is some difficulty in my mind, but maybe not with the witness.

Mr. Del Guercio: Does your Honor desire it cleared up?

(Testimony of Fred Heiner.)

Presiding Inspector: I think it ought to be cleared up some time; now or on redirect.

By Mr. Myron:

Q. Let's see if we understand you correctly, Mr. Heiner. [4954] You say this matter of accepting aid from the ILD was first brought to your attention as a member of the Defense Committee, is that right? A. That is correct.

Q. Now, when was that?

A. It was on the same afternoon on which it was brought up before the Strike Committee by Mr. Dietrich.

Q. Well, who brought it to your attention?

A. Mr. Dietrich.

Q. And what was said at that time?

A. He told me that he had been advised that the ILD wished to lend aid to the strikers who were arrested, and that he was going to investigate it and he would have to take it up with the Strike Committee first, I believe.

Q. Did he tell you who advised him?

A. No, that he did not.

Q. Now, immediately after that you say on the same day the matter was brought before the Strike Committee, is that true? A. That is correct.

Q. And Mr. Dietrich was the one that brought it before the Strike Committee?

A. That is correct.

Q. And you were present. Now, five or six days later they went to 121 Haight Street—and when

(Testimony of Fred Heiner.)

I say "they" I mean Mr. Dietrich and some others—and conferred with somebody at 121 Haight Street in regard to this question, is that [4955] true?

Mr. Gladstein: Just a moment.

Mr. Myron: I am asking the witness, is that true?

Mr. Gladstein: I still have a right to object on the ground that it misstates the evidence. As I recall it, the witness has already been asked and has answered this question.

Mr. Myron: I would rather have the witness answer the questions. If there is an objection to the question, and a ruling, I will ask another question.

Mr. Gladstein: I object and wish to explain the ground.

Presiding Inspector: I will allow the question, but let's make sure he understands it.

Is it true that four or five days later these people, Dietrich and the other men on your committee, went to 121 Haight Street?

The Witness: That is not correct.

Presiding Inspector: In what respect is it not correct?

The Witness: I believe that day, or the following day, they went.

By Mr. Myron:

Q. When the matter was brought to the attention of the Strike Committee who was the Chairman?

Mr. Gladstein: One moment.

(Testimony of Fred Heiner.)

Presiding Inspector: Which time do you mean?

[4956]

Mr. Myron: The first time it was brought before the Strike Committee.

Presiding Inspector: Before they went to 121 Haight Street.

A. Mr. Bridges.

By Mr. Myron:

Q. And was there a vote taken on the question? A. Yes.

Q. And as a result of the vote which was taken on that question, subsequent to that time Mr. Dietrich and others went to 121 Haight Street, is that correct? A. I believe so: yes, sir.

Presiding Inspector: Speak a little louder so they can hear.

The Witness: Surely.

Presiding Inspector: I don't know whether you heard the answer.

Mr. Myron: I think he said "Yes." That was my understanding.

Presiding Inspector: Yes. He gave an affirmative answer.

By Mr. Myron:

Q. Did you vote on the question?

A. Yes, I believe I did.

Q. Did Mr. Bridges?

A. No, he couldn't vote. He was Chairman.

[4957]

Q. How did you vote on the question?

(Testimony of Fred Heiner.)

A. I voted in the negative myself.

Q. Now, after the meeting at 121 Haight Street was it again brought to the floor of the Strike Committee?

A. That is correct.

Q. And Mr. Dietrich was the one who brought it to the attention of the Strike Committee the second time?

A. Yes, sir.

Q. Were you present?

A. Yes, sir.

Q. You say now that you did not go to 121 Haight Street?

A. That is correct.

Q. Do you know Elaine Black?

A. I met her once in the Hall of Justice.

Q. Is that the only time that you have ever met her?

A. That is the only time that I personally have ever met Elaine Black.

Q. Was that in connection with Strike matters?

A. Yes, sir. She had a man from the MWIU arrested and she was down there.

Q. What was your interest in that case?

A. None whatsoever.

Q. You talked with her on that occasion?

A. I didn't hear your question.

Q. Did you talk to her on that occasion? [4958]

A. Yes. She came over and asked some information on arranging bail or something of that nature.

Q. She was asking you about arranging bail. Did you advise her?

A. Well, I did. I told her that there was nothing that we could do about it because we were separate

(Testimony of Fred Heiner.)

and apart from the MW—Marine Workers Industrial Union.

Q. And that is the only occasion on which you met Elaine Black, is that right?

A. That is correct.

Q. When did you learn that Mr. Michaelson accompanied Mr. Dietrich to 121 Haight Street on a matter of accepting aid from the ILD?

Mr. Gladstein: I think that has already been asked and answered a couple of times.

Presiding Inspector: Yes. But we are trying to straighten the whole thing out.

A. To my knowledge I believe it was when it was returned to the Strike Committee because I believe, if I am not mistaken, Mr. Michaelson was for it and Mr. Dietrich was against it. That is how I know, presumably he had gone there.

Q. Was the question at any time submitted to the Defense Committee for action other than when it was brought to your attention by Mr. Dietrich?

A. No.

Q. At no time? [4959] A. No.

Q. When Mr. Dietrich—

Presiding Inspector (Interposing): Just a moment! I think the witness wants to say something.

Mr. Myron: That is right.

A. (Continuing) The Defense Committee was not an autonomous body. They had to get permission from the General Strike Committee.

(Testimony of Fred Heiner.)

By Mr. Myron:

Q. Now, did you talk to Mr. Bridges during the meetings of the Strike Committee?

A. On numerous occasions, yes.

Q. Over that period of time?

A. Definitely, yes.

Q. In 1934? A. Yes, sir.

Q. Other than the reports—the subject matter of the reports that you made? A. Yes.

Q. You have talked to him? A. Yes.

Q. On how many different occasions?

A. I think nearly daily. We used to discuss coming meetings and strike events. I mean, other than the business of the Defense Committee.

Q. And, as I understand you, there were three meetings [4960] held in the morning?

A. To my knowledge. Maybe more. But, I mean, to my own recollection. Maybe more.

Q. And the rest of the meetings were held in the afternoon? A. That's correct.

Q. Were there any days during the 1934 strike on which there were no meetings held?

A. I believe two.

Q. What's that?

A. I believe there were two days.

Q. Two days on which there were no meetings held? A. Yes.

Q. That's to your best recollection?

A. Yes, that's correct.

Q. Would there be more?

(Testimony of Fred Heiner.)

A. Well, there would be a possibility when I wasn't there that there would be more.

Q. Well now,—

A. (Interposing) I mean, to my knowledge.

Q. I am excepting Sundays, and you say—

Presiding Inspector (Interposing): And excepting the time that he was—

Mr. Myron (Interposing): That we was away from the meetings. [4961]

Presiding Inspector: Yes, when he was under arrest. He has described that.

A. To my knowledge, the answer would be none other than the ones that I have stated.

By Mr. Myron:

Q. On two days, you say? A. Yes.

Q. Would you say that there were any more than two days? A. That I don't remember.

Q. You don't remember? A. No.

Q. There could have been many more days, couldn't there?

A. No. Not "many more" because I was there most of the time.

Q. Would you say that there were as many as ten days on which meetings were held?

A. Definitely no.

Q. And your best recollection now is that on two days no meetings were held?

A. That's correct.

Q. That was on days other than the days that you have stated you were away? A. Yes.

Q. Do you know Edward Russell?

(Testimony of Fred Heiner.)

Mr. Gladstein: What's the name? [4962]

Presiding Inspector: Russell.

A. Do I know Edward Russell?

By Mr. Myron:

Q. Yes. A. The answer is "No."

Q. What's that? A. No.

Q. Did you ever know a man by the name of Edward Russell?

A. I knew a man who was connected with the American-Hawaiian Steamship Company, who were my previous employers, by that name.

Q. Did you ever have any trouble with him?

A. No, sir.

Q. Now, you have known Mr. Bridges since the time you worked on the waterfront to date?

A. That's correct.

Q. You have always been very friendly with Mr. Bridges? A. Quite friendly.

Q. Have you ever been appointed by Mr. Bridges to any position? A. No, sir.

Q. Isn't it a fact that Mr. Bridges had you appointed to this Clerks' Association?

A. That is not correct.

Q. And isn't it a fact that you were subsequently elected [4963] into your union after Mr. Bridges had appointed you?

A. I was elected into the Union, but I was not appointed by Mr. Bridges.

Q. Would the minutes of the meeting of your union show that, how you became a member?

A. Yes, sir.

(Testimony of Fred Heiner.)

Mr. Myron: That's all.

Redirect Examination

By Mr. Gladstein:

Q. Mr. Heiner, did the Defense Committee in the 1934 strike have any power to commit the Strike Committee on the question of accepting ILD support? A. None.

Q. What was the extent of the power that the Defense Committee had on that subject?

A. To make recommendations only.

Q. Is that what the Defense Committee actually did? A. Yes.

Q. So that the actual determination of, whether the proffered aid of the ILD should be accepted was up to the Strike Committee?

A. That is correct.

Q. And the Strike Committee made the decision on it? A. That is correct.

Q. Do you recall whether Mr. Bridges was Chairman of the meeting at which the Strike Committee ultimately rejected the [4964] proposal?

A. I do.

Q. He was? A. He was the Chairman.

Q. Now, you mentioned on cross examination some occasions when Mr. Bridges did not act as Chairman of the Strike Committee meetings. Do you have those in mind?

A. I believe I can remember three.

Q. Well, now, how did those occasions arise?

A. Once he was ordered by the Strike Committee

(Testimony of Fred Heiner.)

to attend a meeting of the SUP, the Sailor' Union of the Pacific.

Q. Where was Bridges when the Strike-Committee made that order?

A. He opened the meeting and then as soon as the meeting opened, why, they took it up as a special order of business. There was immediate action necessary; and he was told immediately to leave and turn the chair over, and another Chairman was duly elected.

Q. So on that occasion Mr. Bridges actually opened the meeting as Chairman but did not preside throughout?

A. That is correct.

Q. What was the procedure on the other two occasions? I think you have mentioned that there were three?

A. On the next one, to my memory, he was part of a Committee that was sent up to see the Board of Supervisors. [4965]

Q. You remember what that was about?

A. In reference to opening the Port, I believe. The Supervisors or the City Administration had some meeting in which they were going to reopen the Port.

Q. Now, was this occasion one on which the Strike Committee ordered Bridges and those who went with him to take this action?

The Witness: Repeat your question, please.

Mr. Gladstein: Will you read it, please, Mr. Reporter?

(The question referred to was read by the reporter as above recorded.)

(Testimony of Fred Heimer.)

A. Yes.

By Mr. Gladstein:

Q. Can you state whether Bridges acted as Chairman up to the time where the Strike Committee ordered him and the others to go to the Board of Supervisors?

A. Yes, he did act as Chairman.

Q. Do you recall what the third instance was?

A. He went to get a permit from the Chief of Police for a parade.

Q. Was he ordered to do that?

A. He was ordered to do so by the Strike Committee.

Q. By whom?

A. By the Strike Committee.

Q. And can you state whether on that occasion also he [4966] began as Chairman of the meeting and was then relieved?

A. Yes, I believe he was.

Q. Now, you mentioned that you were away from town for two or three days, I think you said, in connection with some Modesto cases. During what part of the strike did that occur?

A. During, oh, I would say just about the middle of the strike.

Q. Would that be some time in the month of June?

A. Yes, prior to the general strike.

Q. You mentioned that on some 30 or 40 occasions you were in the chambers of a Judge in connection with arranging for the release of ar-

(Testimony of Fred Heiner.)

rested strikers. On any of those occasions, Mr. Heiner, were you arranging for bail or release of a group of men at one time, that is, more than one?

A. Yes; on numerous occasions more than one man.

Q. Can you give your best recollection of the maximum number of men who at one time you were arranging bail or release for?

A. I believe on July 5th, the morning of July 5th, we had approximately between 70 and 80 arrests that day.

Q. And that occasion when you were arranging for the release of those 70 or 80 men, that would represent one occasion of your going to court; is that correct?

A. That is correct.

Q. Or going to court chambers. [4967]

A. That is correct.

Q. Now, you mentioned that there were two days that you recall that the Strike Committee did not meet. Was July 4th one of them?

A. July 4th and July 5th.

Q. Any others?

A. That is to the best of my knowledge.

Q. Well, now, did anything unusual happen on July 5th with respect to the—withdraw that. Where were the strike Committee meetings held?

A. 113 Stewart Street.

Q. Headquarters of the Union?

A. Correct.

Q. Was there anything unusual that occurred on July 5th at the union hall?

(Testimony of Fred Heiner.)

A. Yes. The Police shot tear gas into it.

Mr. Gladstein: I think the Court can take judicial notice of the fact that July 4th was Independence Day.

Presiding Inspector: I think so.

Mr. Gladstein: I think that is all.

Recross Examination.

By Mr. Myron:

Q. You were a member of the Defense Committee you were a member of the Strike Committee, is

A. The Defense Committee was part of the Strike Committee. [4968]

Q. And being a member of the Defense Committee you were a member of the Strike Committee, is that true? A. That is correct.

Q. And the matter was brought to your attention first as a member of the Defense Committee?

Presiding Inspector: What matter?

Mr. Myron: The matter of accepting aid from the ILD. A. Correct.

By Mr. Myron:

Q. And subsequently brought before the Strike Committee? A. That is correct.

Q. By Mr. Dietrich? A. Yes, sir.

Q. The Chairman of your Committee—

Presiding Inspector: I think he testified to that.

Mr. Myron: That is right.

By Mr. Myron:

Q. How do you recall that your absence during this Modesto case occurred in the middle of July?

(Testimony of Fred Heiner.)

Mr. Gladstein: He didn't say "July". He said "June."

Mr. Myron: In the middle of the strike.

A. It was prior to the general strike.

By Mr. Myron:

Q. That is July 16 to 19 were the dates of the general strike?

A. I believe that is correct. [4969]

Q. Some time prior to that?

A. Some time prior to that.

Q. Well, would it be the beginning of the strike on May 9? A. No, sir.

Q. What date would you place the Modesto case?

A. Pardon me—Modesto? Did I say Modesto? Presiding Inspector: I think you did.

By Mr. Myron:

Q. Didn't you?

A. Well, I may have. I evidently became confused then. The Modesto case—that was where the men were arrested on the Standard Oil premises—I believe that was after the 1934 strike. The case that I was referring to was in Santa Rosa when I went away with counsel.

By Mr. Myron:

Q. You say the Modesto case occurred after the 1934 strike? A. Yes.

Q. Isn't it a fact that the Modesto case occurred prior to the 1934 strike, or right at the beginning of it? A. No, sir.

Q. Are you sure of that?

(Testimony of Fred Heiner.)

A. I am sure of it. I think the men had returned to work and the men were working when the Modesto case occurred. [4970] I was in error. If I said "Modesto" I meant Santa Rosa.

Q. It was your testimony that you remembered being absent during the Modesto case, which you say occurred about the middle of the strike, is that right?

Mr. Gladstein: Just a moment—

Presiding Inspector: He wanted to correct that.

Mr. Myron: I will let him correct it. I want to get his original testimony.

Mr. Gladstein: He already corrected it.

Presiding Inspector: It may be he is confused between the two events, and maybe not; but whatever he said is on the record.

A. The Modesto case definitely occurred after the 1934 strike. The case that I was referring to was the Santa Rosa case.

Mr. Myron: I think that is all, your Honor.

Mr. Gladstein: That is all, your Honor.

(Witness excused.)

Mr. Gladstein: If it is of any importance in the record—I don't know as it is actually material, but probably counsel has a record of this—the Modesto case I recollect occurred in connection with another strike in 1935.

Presiding Inspector: Of course, we can't take that as proof. I mean we cannot take the statement as any proof of it.

Call your next witness. [4971]

Raise your right hand.

COLE JACKMAN

called as a witness on behalf of the Alien, having been first duly sworn, testified as follows:

Presiding Inspector: Give your name and address to the reporter.

The Witness: Cole Jackman—J-a-c-k-m-a-n.

Direct Examination

By Mr. Gladstein:

Q. Where is your residence?

A. Portland, Oregon.

Q. And what is your occupation?

A. I am a longshoreman.

Q. How long have you been following that occupation?

A. Since 1925.

Q. In the City of Portland?

A. Yes, sir.

Q. Are you the holder of any office or position in the Longshore Union?

A. Yes.

Q. What position do you hold?

A. I am a member of the Local Labor Relations Committee, and a member of the Coast Labor Relations Committee.

Q. Have you held any other office in the Local Union?

A. Yes; I was a Business Agent during 1940, and previous to that I was a member of the Local Labor Relations [4972] Committee; also some other local Union Committees.

Q. Were all those positions, that is, on the Local Labor Relations Committee, Business Agent, and so on, positions to which you are elected?

A. Yes; that is correct.

(Testimony of Cole Jackman.)

Q. Now, Mr. Jackman, you have been in court during this hearing, have you not?

A. Yes; on three or four different occasions.

Q. Were you present in court when Mr. Cannalonga testified? A. No, I was not.

Mr. Del Gaercio: If your Honor please, in view of that statement—this is the second witness counsel here told us has been in the court room during this hearing. The other witness was Schmidt. It appears that the rule has been violated.

Presiding Inspector: Yes. The Presiding Inspector can take that into consideration, but I don't think it is a reason for excluding the testimony. Go ahead.

By Mr. Gladstein:

Q. Mr. Jackman, when was the last time that you were in court?

A. I believe it was Monday morning. I was here until they adjourned for lunch.

Q. Do you recall who was on the stand that day?

A. Henry Schmidt. [4973]

Q. Now, since that time you have not been here, is that correct? A. No, sir.

Presiding Inspector: That is correct?

The Witness: That is correct.

By Mr. Gladstein:

Q. Now, do you know a man by the name of Maurice J. Cannalonga?

A. Yes, I know who he is. I knew him casually before, and I had seen him, rather, I don't know him personally but I know who he is.

(Testimony of Cole Jackman.)

Q. Have you had occasion to personally meet with and talk to him during recent weeks?

A. Yes, sir.

Mr. Del Guercio: With whom?

Mr. Gladstein: Cannalonga.

Mr. Del Guercio: I object to any further questioning of this witness along that line.

Presiding Inspector: Ask the question, and don't answer until Mr. Del Guercio has an opportunity to object.

By Mr. Gladstein:

Q. When was the last time you saw Mr. Cannalonga?

Mr. Del Guercio: I will object to that.

Presiding Inspector: I will take it.

A. Sunday, May 4th.

By Mr. Gladstein: [4974]

Q. With reference—how do you fix that date, that Sunday?

A. Well, I know it was a Sunday. It was the Sunday before he disappeared. I think he disappeared on Wednesday, and that was the preceding Sunday.

Q. Where did you see Mr. Cannalonga that day?

A. On board the West Cussetta, the ship that he was working on.

Q. What time of the day was it that you saw him?

A. It was about 7:30 in the evening.

Q. And how did you happen to see him?

(Testimony of Cole Jackman.)

A. Well, I met Rosco Craycraft in a grocery store down on Third Street in Portland, there at Maleti's Brothers Grocery, and he was waiting for Cannalonga to either come up or telephone him. He was supposed to have been there at 7:00. About 7:20 Rosco asked me if I would go down and see what was holding Blackie up.

Q. When you refer to "Rosco" you are referring to Rosco Craycraft? A. Yes.

Q. Have you known him long?

A. Yes; I have known him for many years.

Q. Now, when Mr. Craycraft asked you to see Mr. Cannalonga did he tell you where you could find him? A. Yes, he did.

Q. What did he tell you? [4975]

A. He told me he was on the West Gussetta, and this boat was down at Pier B, Terminal 1. That is a dock in Portland.

Q. And do you know why Craycraft asked you to go to Cannalonga, rather than go himself?

Mr. Myron: I object to this, your Honor.

Presiding Inspector: If he knows he can tell.

A. He was waiting for Cannalonga—

Presiding Inspector: This is all in the record.

A. (Continuing): —waiting for Cannalonga to meet him there at this grocery store, and it was past the time when Cannalonga was supposed to have arrived there, and he didn't want to leave because he thought Cannalonga might telephone or

(Testimony of Cole Jackman.)

be on his way up, so he waited there and I went down to see what was holding him up.

By Mr. Gladstein:

Q. All right: How did you go down there?

A. I drove down in my car.

Q. Where was the West Cussetta docked at that time? A. Terminal No. 1.

Q. What did you do when you got down to Terminal No. 1?

A. Well, I looked up Blackie Cannalonga. He was an electrician on board the ship.

Q. Where did you go to find him?

A. Well, I went on the ship and I asked one of the [4976] fellows if he was aboard, and he said "Yes." He was in the Chief's quarters, I think, or some room close to his own, and I found him there.

Q. Do you remember who it was that you asked, who was the person who you spoke to when you asked where Cannalonga could be found?

A. No. He was some, looked like a fireman, or some member of the crew.

Q. Where did you find Cannalonga?

A. I believe it was in the Chief Engineer's quarters. There were two or three fellows in there.

Q. Do you know who they were?

A. No, I didn't.

Q. Was Cannalonga there? A. Yes.

Q. What took place?

(Testimony of Cole Jackman.)

A. Well, I introduced myself to him. I didn't know if he remembered me or not. I had just seen him a couple of times previously. He apparently knew me. We went to his room and talked for a while.

Q. How long were you with him that evening?

A. About-half an hour, I would say.

Q. What took place in his room?

A. Well, I told him that Rosco was waiting for him up at Malétis Brothers; and he told me that he was stuck there on the job and would have to work that night. He was the electrician. [4977] The winches had broken down during the day and he said he would have to work until about mid-night.

That was why he didn't show up.

Q. What other conversation did you have with him?

A. Well, we talked about several different things. I told him that I had been down in San Francisco for the past two or three months as a member of the Coast Committee—

Q. (Interposing): Coast Committee for what?

A. The Coast Labor Relations Committee, and—

Mr. Myron: (Interposing) I object to this conversation as not being material at all.

Presiding Inspector: I can't see its materiality.

Mr. Gladstein: It will shortly appear to be. It is simply that I don't wish to lead the witness.

(Testimony of Cole Jackman.)

Presiding Inspector: So far it is immaterial.

Mr. Myron: It is irrelevant also. There is no purpose in getting the conversation. The conversation is not admissible.

Presiding Inspector: No.

Mr. Gladstein: We will show its materiality or it is subject to a motion.

Presiding Inspector: Go ahead. I will allow it. I have disregarded the general rule as not having to lay a foundation for such evidence on account of the circumstances involving this case. [4978]

By Mr. Gladstein:

Q. You started to say, Mr. Jackman, that you were telling Mr. Cannalonga that you had been down in Court.

A. Yes. I told him that I had been down in San Francisco for two or three months as a member of the Coast Labor Relations Committee for the longshoremen. And I told him that I had had the opportunity to attend a few hearings here in the Bridges deportation. And he asked me if I had heard him testify, and I told him "No", but that I had read about it in the papers. And I told him that I was a little surprised at his testimony, and—

Q. (Interposing): Now, did he say to you—

Mr. Myron: (Interposing) Let him finish.

Mr. Gladstein: All right.

A. (Continuing): Well, he told me, he said "I hope that you fellows know the kind of a spot that

(Testimony of Cole Jackman.)

I was in". He says, "The FBI had the heat on me" and he says "I had to do pretty much what they told me to do."

Q. Was anything else said concerning the FBI on that occasion?

A. No. I didn't go into it any further. He told me that he had told Rosco and you about it.

Q. When did you leave Mr. Cannalunga that evening?

A. Well, I guess it was about 8:00 o'clock.

[4979]

Q. Before you left did he give you any message to be delivered to anybody?

A. Well, he told me to tell Rosco to come down there and see him down on the ship, and he told me where I could find him—where to tell Rosco to find him.

Q. When you left Mr. Cannalunga what did you do?

A. I went back to this grocery store and told Rosco that he would have to go down on the ship to see Cannalunga. He told me to tell Rosco to see him back in the control room, electric control room opposite No. 4 hatch on the ship.

Presiding Inspector: Cannalunga did that?

The Witness: Yes.

By Mr. Gladstein:

Q. Did you convey that information to Mr. Craycraft?

A. Yes.

Q. Then what, if anything did you do?

(Testimony of Cole Jackman.)

A. Well, I went home then: I left Craycraft shortly after I told him that.

Q. Have you seen Cannalonga since?

A. No, sir.

Q. Have you heard from him in any way?

A. No.

Mr. Gladstein: Cross examination.

Cross Examination

By Mr. Del Guercio:

Q. How did you happen to be with Craycraft at that [4980] grocery store?

A. Well, I drop in there occasionally for a sandwich or a glass of beer. It is a place down near where a lot of the fellows——

Q. (Interposing): Do you want us to believe that it was just a casual meeting between you and Craycraft at that time?

A. Well, yes. I believe it was.

Q. It wasn't an arranged meeting?

A. Well, I am not certain. I may have talked to him on the phone. I know I wanted to get in touch with him.

Q. Did he ask you to come down to the grocery store?

A. I don't remember exactly. He may have. I know I talked to him on the phone, I believe it was, that morning.

Q. Then you didn't meet him there casually, did you?

A. Well, I am not certain. I drop in there quite frequently anyway.

(Testimony of Cole Jackman.)

Q. Well, on this particular occasion were you there by pre-arrangement?

A. Well, I don't remember exactly. I think I told Rosco that I would either see him at the union meeting or see him down there.

Q. Did he ask you to come down? Did Craycraft ask you to come down and meet him there at this grocery store?

A. Well, as I recall it, he told me that he would probably be in there that afternoon or that evening. [4981]

Q. Well now, you have gone over this matter several times since this occurred, haven't you?

Mr. Gladstein: With whom?

By Mr. Del Guercio:

Q. With Mr. Gladstein or anyone else?

A. No. I haven't gone over it.

Q. You haven't talked with Mr. Gladstein about it at all?

A. Yes.

Q. When did you talk to Mr. Gladstein about it?

A. Well, I told him Monday afternoon when this hearing recessed.

Q. While you were in Court here?

A. No, after Court.

Q. When were you here in Court last?

A. Monday morning.

Q. Monday morning. Did you tell him then?

A. No. I told him after the hearing was over.

Q. After the hearing was over?

A. After it was recessed.

(Testimony of Cole Jackman.)

Q. And did Mr. Gladstein go over all of the circumstances surrounding your being here at this grocery store?

A. No. I just told him briefly that I had gone down to the ship to see why Cannalonga didn't keep his date with Craycraft.

Q. And he didn't ask you how you happened to be at the [4982] grocery store at that opportune time?

A. No. I told him that I had met Craycraft there. We didn't—

Q. (Interposing): Well now, just what did Craycraft tell you to do? A. When?

Q. At the time you met him there at the grocery store.

A. Well, he told me that he was waiting for Cannalonga to come up and see him there. He was supposed to be there at 7:00 o'clock.

Q. Did you talk about Cannalonga and about what Cannalonga had testified to at this hearing?

A. No.

Q. You didn't talk about anything like that?

A. No, we didn't.

Q. No conversation at all? A. No.

Q. About Cannalonga and what he had testified to? A. No.

Q. Had you ever talked to anybody regarding what Cannalonga had testified to prior to your meeting Craycraft at this grocery store?

A. No, I don't believe I did.

Q. Did you talk to Mr. Gladstein?

A. Just what I told you about. [4983]

(Testimony of Cole Jackman.)

Q. Prior to the time that you met Craycraft at this grocery store?

A. No, no. I did not.

Q. Did you talk to Mr. Rodman?

A. Who?

Q. Rodman? . . . A. No, sir.

Q. Kenneth Fitzgerald?

A. No, sir. I don't even know him.

Q. Jack Mowery? . . . A. No.

Q. You know Mowery, don't you?

A. Yes. I know Mowery. He is a member of my Local.

Q. Did you talk to him about it? . . . A. No.

Q. Was he there at the grocery store?

A. No, he wasn't.

Q. Did you see him at any time prior to that incident at the grocery store? . . . A. Prior—

Mr. Gladstein: (Interposing) Do you mean at any time or when?

By Mr. Del Guercio:

Q. When was the last time that you saw him prior to meeting Craycraft at the grocery store?

A. Saw Mowery? [4984]

Q. Yes.

A. Oh, I don't know. I think he was at the union meeting. I was at my Local union meeting the last time I was up north.

Q. When was that? . . . A. A week ago.

Q. With respect to the time that you met Craycraft at the grocery store.

(Testimony of Cole Jackman.)

A. Well, I think—I think that was the previous Wednesday.

Q. Now, your testimony is that you didn't talk to anybody about the Cannalonga matter up to the time you met Craycraft at the grocery store?

A. Not so far as I can recall. I read his testimony.

Q. Well, how far can you recall?

A. (Well, I don't—I had no occasion to talk to anybody about it.

Q. Now, just what did Craycraft tell you to do?

A. He told me he was waiting for Cannalonga to come up to see him.

Q. And so what?

A. And so he said he was supposed to be here at 7:00 o'clock, and—

Q. (Interposing): Well, were you there at 7:00 o'clock?

A. Yes, I was there a little before 7:00. [4985]

Q. A little before. When did he tell you this? Before 7:00?

A. Yes, I think it was before 7:00. About—

Q. (Interposing): What else did he tell you?

A. Well, that's all. He said he was waiting to see Cannalonga.

Q. And that's all he said? A. Yes.

Presiding Inspector: No. That is all he told him.

By Mr. Del Guercio:

Q. You say he sent you down to the boat to see what was holding up Cannalonga? A. Yes.

(Testimony of Cole Jackman.)

Q. Is that your testimony?

A. That's right.

Q. What did he say in regard to that, about going down to the boat?

A. That was about 7:20. He said something must have happened to hold Cannalonga up.

Q. When was this? Before 7:00?

A. No, after 7:00.

Q. After 7:00. How long after 7:00?

A. It was about a quarter after, 20 minutes after.

Q. It couldn't have been more than that?

A. No, I don't think so.

Q. About a quarter after 7:00 or 20 minutes after 7:00? [4986] A. Approximately.

Q. And were you with him all the time?

A. Yes.

Q. Were you talking? A. Yes.

Q. What were you talking about?

A. Oh, different things; the convention and union matters.

Q. And about a quarter after 7:00 or 20 minutes after 7:00 he told you to go down to do what?

A. To see what was holding up "Blackie" Cannalonga.

Q. Did he ask you to do anything else?

A. No.

Q. That's all he said? A. That's correct.

Q. And you were to go to the boat to see Cannalonga to see what was holding him up?

A. Yes.

Q. Nothing else?

(Testimony of Cole Jackman.)

A. Blackie was supposed to be there at 7:00 o'clock and he didn't show up.

Q. Well, you weren't to do anything else?

A. No, sir. I told you that already.

Q. Yes. All right. Now, you got down to the boat, didn't you? A. Yes. [4987]

Q. And you saw Cannalonga? A. Yes

Q. Why did you remain with him a half hour?

A. Because we were talking about a few things. He asked me some questions about some people that I know and he knows, and I told him something about the convention and he knew that I was a delegate.

Q. Weren't you worrying about Craycraft waiting for you?

A. Well, I was only there about a half hour.

Q. You hadn't communicated with Craycraft during that half hour, did you?

A. I got back shortly after 8:00 o'clock.

Q. Did you communicate with Craycraft during that half hour you were with Cannalonga?

A. No. I couldn't communicate with him excepting to go back.

Q. But that's all that Craycraft told you to go down there to do? To see what was holding up Cannalonga?

A. Absolutely. All that I went down there for was to see what was holding him up. Craycraft thought he probably had to work, and that happened to be the case. The winches went haywire on the ship and Cannalonga had to work until midnight to repair them.

(Testimony of Cole Jackman.)

Q. Did this take you a half an hour to find out what was holding him up? [4988]

A. No, but he wanted to talk and he asked me about a few people that we both knew, and I told him a few things about the convention that we recently held.

Q. Well, as a matter of fact, you were sent down there to intimidate Cannalonga, weren't you?

A. I should say not.

Q. Huh?

A. I should say not.

Q. Was Cannalonga working when you found him in the chief engineer's quarters? A. Yes.

Q. What kind of work was he doing in the chief engineer's quarters?

A. Well, I think he was making out his time, his hourly time, or something.

Q. Time report? A. Yes, I think so.

Q. What was he doing?

A. Well, he was writing. I think he was making out the number of hours he was working or something.

Q. Do you call that "work"?

A. Well, I wouldn't know. I guess if all depends. They call it "work" in an office.

Q. Is that the kind of work that Cannalonga does?

A. No. I think he was just doing that for a few minutes. He had on his working clothes. [4989]

Q. When did you get back to the grocery store?

(Testimony of Cole Jackman.)

A. It was a little after 8:00, about five or ten minutes, after, maybe.

Q. Then you were gone more than a half hour, weren't you?

A. No, I don't think so. I was gone, well, possibly 40 minutes. But I drove down and back.

Q. How long did it take you to drive from the grocery store to the West Cussetta?

A. Oh, eight or ten minutes, I guess. It is about a mile and a half or two miles away.

Q. How long have you known Craycraft?

A. Well, I have known him about 10 years anyway, I think.

Q. Are you a member of the same Union?

A. Yes, sir.

Q. Do you pal around together?

A. Oh, not a great deal. We know each other pretty well. We have been associated somewhat in union business.

Q. How well do you know Mowery?

A. About the same.

Q. As well as you know Craycraft?

A. Well, yes. I guess so.

Q. Have you three ever been together, you, Craycraft and Mowery?

A. Oh, I suppose we may have been.

Q. Gone out on parties together drinking? [4990]

A. No, sir.

Q. What?

A. No, sir.

Q. Have you ever been a member of a goon squad?

A. No, sir.

(Testimony of Cole Jackman.)

Q. Of your Union? A. No.

Q. Who are the members of the goon squad in your Union?

A. I wouldn't know. We don't have them. We don't deal that way.

Q. You know what a "beef squad" is, don't you?

A. Yes, I do.

Q. Have you ever been on a beef squad?

A. No, sir.

Q. Do you know if Craycraft has been on a beef squad? A. I know that he hasn't been.

Q. Huh?

A. I know that he hasn't been.

Q. Your Union doesn't have a beef squad?

A. No, sir. We don't.

Q. Does it have a Communist Party fraction?

A. Not so far as I know.

Q. Huh? How far do you know?

Mr. Gladstein: I think that question is ambiguous.

Mr. Del Guercio: He said not as far as he knows. It [4991] indicates that he might have some knowledge.

Presiding Inspector: No, I don't think it does. It denies knowledge in the usual manner of speech.

"So far as I know" means—

By Mr. Del Guercio:

Q. (Interposing): How far does your knowledge go, then?

Presiding Inspector: It means that "that is as far as my knowledge goes".

(Testimony of Cole Jackman.)

By Mr. Del Guercio:

Q. Are you active in the Union?

A. Yes, sir.

Q. Well, do you know if there is a Communist fraction in that Union?

A. I don't know.

Q. Would you know if there was?

A. Not necessarily.

Q. Would the officers of the Union know?

A. Well, I don't know whether they would or not. I don't see why they should know.

Q. Would you be interested in knowing if there is, if there was or if there is a fraction in your Local Union?

A. Well, I would like to know anything pertaining to the Union that affects the Union.

Q. Have you ever inquired?

A. What?

[4992]

Q. Have you ever inquired if there was a Communist Party fraction within your Local Union?

A. No. I don't know who I would inquire to.

Q. You know Mowery, don't you?

A. Yes.

Q. Is he a member of the Communist Party?

A. I wouldn't know.

Q. Did you ever inquire?

A. No.

Q. He is a member of your Union, isn't he?

A. Yes.

Q. And you have been friendly with him?

A. We've never discussed anything like that.

Q. Did Mr. Gladstein indicate to you while you

(Testimony of Cole Jackman.)

were sitting in Court that you would be called as a witness?

A. No, sir. The first time he—I had any idea that I would be called was when I told him about going down to the ship.

Q. You mean he didn't know about you having been with Craycraft at this grocery store on—what day was that?

Mr. Gladstein: I think that is calling for a conclusion.

Mr. Del Guercio: After all, your Honor, we are trying to go into all of the circumstances here on the part of every actor in this episode and the part he has played.

Presiding Inspector: You needn't argue it.

Mr. Gladstein: Did you see what the form of the question [4993] is?

Presiding Inspector: The objection is as to the form of the question, not the substance.

Read it, please.

(The question referred to was read by the reporter as follows:

“Q. You mean he didn't know about you having been with Craycraft at this grocery store on—what day was that?”)

The Witness: Sunday.

Mr. Gladstein: How could this witness know whether I knew about something that is being inquired about.

Presiding Inspector: I think you had better re-frame that question.

(Testimony of Cole Jackman.)

Mr. Del Guercio: The reason for that is—

Presiding Inspector (Interposing): You split the question and said "What day was this"? and it rather destroyed the continuity, and I think you had better reframe the question.

By Mr. Del Guercio:

Q. On what day was it that you were at this grocery store with Craycraft?

A. It was Sunday, the fourth of May.

Q. Sunday the fourth of May. Did you tell Mr. Gládstein at any time after Sunday, the fourth of May, that you were with Rosco Craycraft at that grocery store at that time?

A. Yes. I told him Monday, Monday afternoon after this hearing adjourned. I was in the hearing that morning and I [4994] told him.

Q. That is the first time?

A. That's right.

Q. Have you ever told anybody else that you were there at that grocery store at that time and place at any time after May 4th?

A. No, I don't think so.

Q. Mr. Rodman? A. No, sir.

Q. You know who Mr. Rodman is, don't you?

A. Yes, I know him just slightly. I haven't seen him for quite a while.

Presiding Inspector: I don't quite get this myself. This meeting with Craycraft happened on Sunday night?

The Witness: Yes.

Presiding Inspector: The 4th?

(Testimony of Cole Jackman.)

The Witness: That's right.

Presiding Inspector: Did you come down there that night?

The Witness: No.

Presiding Inspector: You speak of "Monday".

The Witness: Let me see.

Presiding Inspector: What Monday was that that you were here?

The Witness: Oh, that was last Monday; this last Monday.

Presiding Inspector: Oh, last Monday? [4995]

The Witness: Yes. I came down here, I think it was, the following Thursday after that Sunday.

Presiding Inspector: Yes. I was confused about the Sundays and Mondays.

The Witness: No. The Monday I referred to was last Monday, this last Monday.

By Mr. Del Guercio:

Q. Have you been reading the papers, to follow this case?

A. Yes, to some extent. I haven't read everything on it.

Q. Well, you have read about the disappearance of Cannalonga, haven't you? A. Yes.

Q. And you had seen Cannalonga on May 4th?

A. Yes.

Q. Did you tell anybody? A. No.

Q. What? A. No, sir.

Q. You didn't tell Mr. Gladstein?

A. No. I wasn't even—

Q. (Interposing).: Mr. Margolis?

(Testimony of Cole Jackman.)

A. No, not until——

Q. (Interposing): Mr. Grossman?

A. No, sir. [4996]

Q. Mrs. King? A. No.

Q. Anybody connected with——

Mr. Gladstein (Interposing): One moment! Let the witness answer the question.

A. There is a lot of people seen Cannalonga after I seen him apparently. I understand he disappeared Wednesday morning. That was the Wednesday following the Sunday that I seen him, and I didn't even get down here until the following Thursday.

By Mr. Del Guercio:

Q. And you want us to believe, having read about Mr. Cannalonga's disappearance and knowing the part that you took in having something to do with Mr. Cannalonga's—the taking of Mr. Cannalonga's so-called deposition there, that you didn't tell anybody that you had seen Cannalonga on May 4th? Is that correct? Is that what you want this Court to believe?

A. Well, I had nothing to do with taking any deposition. I mererly went down to see what was holding him up. It was entirely a casual meeting of me going down there. As a matter of fact, I didn't even want to go down because I was supposed to be home at 7:00 o'clock.

Q.—Well, if it was so casual why did you spend a half hour with Cannalonga on that ship talking to him about this case, about what he had testified?

(Testimony of Cole Jackman.)

A. Well, you don't like to rush away from a fellow when [4997] he is talking and we talked about a few things. He asked me about a fellow that we both knew pretty well in Portland and what he was doing, and so forth.

Q. What fellow was that that you both knew in Portland. A. Moose Norbeck.

Q. Moose who? A. Norbeck.

Q. Is he a member of your Union?

A. He is a former member of our Union. He is now head of the Line Service Bureau there. He is a former business agent of the Local. He asked me what he was doing.

Mr. Del Guercio: This may be a repetition, if your Honor please, but I want the record to be clear on this point.

Presiding Inspector: All right.

By Mr. Del Guercio:

Q. You didn't tell Mr. Gladstein or anybody connected with the Defense that you saw Cannalunga on May 4th and had this conversation, had the conversation that you had related, until last Monday?

A. No, I don't think I ever saw Mr. Gladstein until Monday.

Q. Well, is that correct, then?

Will you read my last question?

Presiding Inspector: There is an implied affirmative in that.

Mr. Del Guercio: Sir? [4998]

(Testimony of Cole Jackman.)

Presiding Inspector: There is an implied agreement with your question in there. He adds the reason.

The Reporter: Do you still wish the question?

Presiding Inspector: No, I don't think it is necessary.

By Mr. Del Guercio:

Q. And you told it to Gladstein on Monday, last Monday? A. Yes, sir.

Q. And that is the only time you spoke to anyone concerning this incident, concerning the incident about which you have testified?

A. Well, that was the first time I had talked to anybody about it, was Monday.

Mr. Del Guercio: That is all.—

Redirect Examination

By Mr. Gladstein:

Q. Since that first time when you talked to me, Mr. Jackman, have you talked to me again before going on the stand? A. Yes.

Q. And what was the nature of that discussion?

A. Well, I just told you a little more in detail what had happened. That was today at noon. [4999]

Q. Now, on the day that you talked to me and told me about your having seen Cannalunga, did I give you any advice with respect to leaving Court?

A. Yes.

Q. What was it?

A. You said I had better not sit in any more because you might want to use me as a witness.

Q. Now, when you went down to see Mr. Cannalunga—

(Testimony of Cole Jackman.)

longa that Sunday evening did you have any weapons with you? A. No, sir.

Q. Did you make any show of force?

A. No, sir.

Q. Did you do anything in the way of coercing Mr. Cannalonga? A. Not a bit.

Q. Was Mr. Cannalonga apparently afraid of you?

A. No, he wasn't. He was with a couple of other fellows in the Chief's room and he asked me into his own room, shook hands with me, and he apparently knew me, although I didn't know him very well, although I had seen him a time or two.

Q. Did he seem friendly at all?

A. Yes; very friendly.

Q. Did he seem afraid of Rosco Craycraft in any way? A. No, he did not.

Mr. Gladstein: That is all.

Presiding Inspector: Anything more? [5000]

Mr. Del Guercio: No, your Honor.

Presiding Inspector: You are excused.

Mr. Gladstein: That is all, Mr. Jackman.

(Witness excused.)

Presiding Inspector: Next witness.

Mr. Gladstein: May we have a recess, your Honor?

Presiding Inspector: Yes. We will take a short recess.

(Whereupon a short recess was taken.)

Presiding Inspector: Now, we will proceed.

I understand you are going to take up the testimony of Mr. Bridges.

Mr. Del Guercio: The reading of it?

Presiding Inspector: Yes.

Mrs. King: When I terminated this testimony on the last occasion I was suggesting that I intended to read from page 3075 to 3092.

Mr. Del Guercio: Does the Court have the testimony before him?

Presiding Inspector: No. What is this about, Mrs. King?

Mrs. King: It is the background of the 1934 strike and the explanation of a tie-up with the MWIU, reference to which occurs on the second page of this, and I contend that the entire matter serves to give a background of the situation which gave rise to the cooperation between Mr. Bridges and the Marine Workers Industrial Union; and also it explains somewhat the Waterfront Worker and its policy. [5001]

Mr. Myron: I think at that time there was an objection made by the Government that that had no reference at all to the admissions introduced by the Government.

Presiding Inspector: I will have to look at it.

Mr. Myron: I think you had gone over it.

Presiding Inspector: I will refresh my memory.

Mrs. King: I don't believe there had been a ruling.

(Whereupon Mr. Del Guercio handed the Presiding Inspector a copy of the testimony referred to, taken at the former hearing.)

Mrs. King: From the beginning of page 3075—may I call to your Honor's attention page 3074, and that was all read by the Government, beginning at the bottom of page 3073 and through 3074.

Now, I am proposing to read 3075 through 3092.

Presiding Inspector: How far do you want to read?

Mrs. King: Through 3092, down to the last question on that page.

Presiding Inspector: I can't see how that is material to what they have read. It is an interesting story. Of course, I may not grasp what they have read. It is very difficult to rule on these things without having—

Mr. Del Guercio (Interposing): What we read had to do with two subjects; one, the Waterfront Worker, and the other the Marine Workers Industrial Union.

Presiding Inspector: This is a general history of the [5002] strike.

Mrs. King: That is correct.

Presiding Inspector: You don't want to offer that as a general subject for discussion here, do you?

Mrs. King: Yes, I do, and for this reason: That the conduct of Mr. Bridges in relation to the Marine Workers Industrial Union was due to the facts surrounding the outbreak of the strike. What he would have done in another connection with reference to the Marine Workers Industrial Union might have been very different. But here he was confronted with a very interesting situation, presented

in these pages, and he acted as he did because of this situation. Now, to just give his conduct, without the facts which gave rise to that conduct, it seems to me to give a one-sided picture of the situation. I think he is entitled to his defense, if they put in the admission.

Presiding Inspector: Where were these admissions?

Mrs. King: I am not sure that I can find them. But they did, in general, suggest that Mr. Bridges cooperated in having people join the Marine Workers Industrial Union, which he said he did because the SUP was not backing the strike; whereas the Marine Workers Industrial Union went out the day after the strike, and that because of the intense need for cooperation at that time, because of the seriousness of the situation, he felt that any union that was out on strike, it was better to [5003] get people in it regardless of its political views, than it was to try and get people into a union that was refusing to cooperate in the strike.

The picture of the outbreak of the strike, and the cooperation of the Marine Workers Industrial Union, is brought out in these pages and it seems to me that it is most relevant to the question of why Mr. Bridges conducted himself as he did.

I am sorry I don't have the exact reference to what the Government read, but I think the Government has made plain that their interest is in his cooperation with the Marine Workers Industrial Union.

Presiding Inspector: Yes; that is true.

Mr. Del Guercio: I don't find any reference at all to the matters that we read into the record that Bridges gave as a reason for cooperating and affiliating with the Marine Workers Industrial Union because of the conditions of the strike.

Presiding Inspector: Let me see—there is a statement as to the date that the Marine Workers went out, I think, here.

Mr. Del Guercio: 3074.

Presiding Inspector: 3074.

Mr. Del Guercio: Having in mind also, if the Court please, that we read these matters into the record as admissions of the Alien, admissions against interest.

Presiding Inspector: Yes.

Mrs. King: I think the material read by the Government [5004] was on page 2605 through 2608, and then starting again on 2608 through 2614. It is really 2605 through 2614, with one line omitted, which I subsequently read.

Then there is some more along the same line on pages 2589 through 2591.

I would also like to call your attention to the two or three lines on 2489.

Presiding Inspector: 2489. I have read that.

Mrs. King: I think that is the simplest, shortest place where it comes out clearly.

Presiding Inspector: 2489?

Mrs. King: Beginning with the question:

"Q. Were you ever a member of the MWIU?"

[5005]

That's the shortest.

Presiding Inspector: "Were you ever a member"? I have it.

Mrs. King: Just through? "Yes, but was never a member."

Now, it seems to me we are entitled to show why he worked closely with the MWIU, and I think these pages indicate that; the stress of the situation.

Presiding Inspector: Was there any objection to this testimony before Dean Landis?

Mrs. King: No, there was no objection to it. As Dean Landis said, there were very few objections throughout that hearing.

Presiding Inspector: On legal questions.

Mr. Del Guercio: If the Court please, assuming that what Harry Bridges admitted or the admissions of Harry Bridges that we introduced are sufficient to show that he was affiliated with the Marine Workers Industrial Union, certainly under such circumstances the reasons why he affiliated himself with the Marine Workers Industrial Union would be of no significance.

Presiding Inspector: Well, under the claim of Mr. Bridges' counsel they would say, I think, that that has some bearing on whether it was such affiliation as is meant by that term within the statute.

Mr. Del Guercio: Would the stress of circumstances under [5006] which a person joins a prescribed organization or affiliates himself—

Presiding Inspector: (Interposing) I am not ruling on it. I am saying that that would be the contention, I think—

Mrs. King: (Interposing) If the Court please —excuse me.

Presiding Inspector: (Continuing) —of the counsel.

Go ahead.

Mrs. King: If the Court please, Mr. Del Guercio has talked about "joining" an organization. We are trying to explain with reference to an organization where there is no testimony that he joined whatsoever why he worked with it. And it would seem to me on the question of affiliation the reason why he worked with an organization might be very relevant on the question as to whether he was or was not affiliated. In other words, you might not have any kind of a permanent relationship with an organization and still, under the stress of circumstances, might work up a temporary cooperation which would not amount to affiliation.

I think what Mr. Del Guercio has said made much clearer than anything that I have said the need for reading in the material which explains what the Government took as admissions. The Government's position is, Mr. Bridges admits working closely; the reasons for that are immaterial. Because they have nothing to do with whether he was or wasn't affiliated. [5007]

I say, as your Honor suggested I would say, that they have a very clear bearing on whether he was or wasn't affiliated.

Presiding Inspector: Well, Mr. Del Guercio, I wouldn't want to pass on that question, upon a rul-

ing on the exclusion of evidence. That is a question that needs consideration.

Mr. Del Guercio: I mentioned that merely for the Court to consider, not as the sole ground, of course.

Mr. Myron: Of course, it is the Government's contention, if your Honor please, that this matter which the Alien is now attempting to read into the record has no reference or in no way explains or qualifies the testimony which the Government introduced as admissions at a prior hearing. I don't think there is any reference to the Waterfront Worker or any reference to the MWIU in the testimony which the Alien is now attempting to read into the record.

Mrs. King: There are two references to the Marine Workers Industrial Union in the pages that I am intending to read.

Mr. Myron: If that is so, if there are references we will allow those two pages to be read in. But not the complete story. I don't remember the evidence, but as I remember it, there were no references.

Presiding Inspector: Where are those?

Mrs. King: On page 3075 just below the middle of the page. [5008]

Presiding Inspector: That is the one that says "They were then on strike?"

Mrs. King: Yes. And on page 3077, about the middle of the page, there is another reference to the MWIU, just before the long paragraph, the end of the first long paragraph and before the second.

Presiding Inspector: "That together with our picket lines and together with the pressure of the MWIU already on strike forced the seamen to call the strike."

Mrs. King: It seems to me——

Presiding Inspector: (Interposing). It really is pretty remote from what the Government introduced.

Mrs. King: I don't see that it is remote, because it seems to me that his relationship with the MWIU was conditioned by the things that are set forth on these pages. That is the explanation for it. In other words, they, in my opinion, want to put in the admission but they don't want to give the background against which the facts of the admission occur.

Presiding Inspector: I will read this over again more carefully and rule on it tomorrow.

Mrs. King: All right.

Presiding Inspector: What is the next one?

Mrs. King: I want to read in pages 3100 to 3104. May I explain in that connection that the Government went into a very extensive consideration in the admissions that they put [5009] in as to the character of the MWIU constitution, and this was the explanation by the Alien of the fact that that constitution was very little different from the A. F. of L. constitution. And I believe that we have a right to show that.

Presiding Inspector: How far did they read?

Mrs. King: Beginning at the first question on 3100 through——

Presiding Inspector: (Interposing) Is this what you want to read or is this what the Government read?

Mrs. King: This is what I want to read. Through the middle of page 3104 to where Trial Examiner Landis comes in. I am basing my interest in that on the matter read by the Government.

Mr. Del Guercio: What particular portion read by the Government, so that we may properly follow?

Mrs. King: The portion read by the Government with reference to the constitution of the Marine Workers Industrial Union, which I am now looking for the page reference to. The part that I have in mind is the part that the Government read on pages 2617 through page 2628. In fact, the first question that I am proposing to read has a specific reference to the other testimony.

Mr. Del Guercio: We have no objection to the first one then, but we do to the rest of it.

Mr. Myron: We don't have a record to follow.

Presiding Inspector: No. [5010]

Mr. Myron: We don't know what question she refers to.

Presiding Inspector: I think I will exclude that.

Mrs. King: If your Honor please, here—

Presiding Inspector: (Interposing) I don't see what difference it makes what may be in other constitutions or that a bringing about of a socialistic age is of any importance here. I think it was Juarez who was asked when the socialistic age would come.

and he replied that "It has already come. We are in it now."

Mrs. King: I don't know how to answer that question. I am not sure that the reference is correct, but presumably it is.

Presiding Inspector: It may not be, but at any rate it was said by some prominent French socialist.

Mrs. King: Yes, I think it was. But in this instance you have a situation that the Government read pages and pages—

Presiding Inspector: (Interposing) You know, perhaps you noticed as we were going over these matters I have interposed several times and asked witnesses what they meant by "revolution."

Mrs. King: Yes.

Presiding Inspector: You have noticed that. Now, of course, that word is an ambiguous term. It may be figuratively used, it may be used in the literal sense of a revolt by force and arms. It is very customary to say that the world is in a revolution and has been for some time. This discussion, it [5011] seems to me, is remote from the matter which has been introduced by the Government.

Mrs. King: The matter that has been introduced by the Government on pages 2617 and following?

Presiding Inspector: It seems to be so.

Mrs. King: Because the Government, it seems to me, in the instant hearing makes a lot of capital about what the Alien says was insignificant in the Marine Workers Industrial Union constitution. He

said he wasn't concerned with all these big phrases. Now, it seems to me—

Presiding Inspector: (Interposing) They were there, though.

Mrs. King: So are they in the other constitution.

Presiding Inspector: No. They can be treated otherwise, and these he refers to are in Australia and the A. F. of L., and so forth. I don't think it adds anything.

Mrs. King: It seems to me the explanation concerns his attitude toward the Marine Workers Union constitution.

Presiding Inspector: Supposing it does perhaps explain the workings of his particular mind toward that?

Mrs. King: There are ten pages of the Government's admissions having to do with the operations of his mind on precisely that question. And it seems to me, if we are interested in the operations of his mind, we are interested in why his mind operated that way. [5012]

Presiding Inspector: Where is that matter that you refer to?

Mrs. King: Pages 2617 through pages 2628.

Presiding Inspector: 2617?

Mrs. King: Yes. [5013]

Presiding Inspector: I think the statement that was introduced is a very able argument on the proposition. I do not think it is affected by these examples of these other unions. I don't see very much harm, however, in having them in as a part of this general argument which the witness in the other proceeding gave.

Of course, it can be argued that from his statement—and I don't say that you have to accept this—that he is very able, and that he has a very good understanding of all the causes and picked out those that were correct, and those that were incorrect, or those which were dangerous and ought to be changed—he doesn't use that word "dangerous"—with extraordinary acumen.

I don't think it will add much, but I will accept these statements in comparison if you really want them. They are illustrative of his argument; that is all.

Mr. Del Guercio: I understood that you excluded them.

Presiding Inspector: I have been sort of thinking aloud, Mr. Del Guercio: I don't see that they add anything to what is already there. I don't say that they are not in a general way on the subject of these preambles in labor union constitutions.

Do you want to read them?

Mrs. King: Yes.

Presiding Inspector: I will let you read them. Go ahead.

Mr. Del Guercio: Did you say you excluded them? [5014]

Presiding Inspector: No. I will admit these matters.

Mr. Del Guercio: May I be permitted to be heard?

Presiding Inspector: Certainly.

Mr. Del Guercio: It seems that the matters admitted by the Court, and I think even counsel will

admit, are not of sufficient importance to be wasting so much time on them. Every time one of them is requested to be read, you make a ruling, thinking out loud, as you said, and then there is about ten or fifteen minutes of argument over the same matter.

Presiding Inspector: We are adding to it now. I am at fault partially, I know. It seemed to me that the part that you introduced here is a very clear statement on the part of the witness as to his understandings and interpretation from his point of view of the Marine Workers' constitution. Now, in the course of that there are certain phrases which he says, which it is claimed are also somewhat similarly used by other organizations. That is the claim.

Now, I think on the other side it may be argued that they are not the same; that these clauses in the Australian organizations, and in the A. F. of L., do not show clearly, at least indicate the approximate aim of what is called the Workers' struggle.

Now, I think an argument can be made either way on that, and so that we may have the whole thing before us I thought best to receive it. [5015]

Mr. Del Guercio: You believe they are sufficiently connected as to—

Presiding Inspector: I think they are somewhat remote, but perhaps they lend some explanation, perhaps they lend some aid to the interpretation which you have put on the matter.

I will take it.

Mrs. King: Reading now from page 3100:

"Q. You gave testimony yesterday about the

class struggle, which you have had experience in, and there was read to you by Mr. Shoemaker a preamble from the constitution of the Marine Workers Industrial Union, and you were asked as to whether you approved or disapproved of all or portions of it. Do you recall that testimony?

"A. Yes.

"Q. In your experience is it the usual or an unusual thing for unions of every kind in the A. F. of L., Railway Brotherhood, Independent or otherwise, to express such sentiments in their preamble to their constitution?

"A. I think it is the usual thing. Practically every union in Australia, for example, in their preamble points out—

"Mr. Shoemaker: (Interrupting) In Australia?

"The Witness: Yes. All the unions in Australia are generally industrial unions and in the preambles of practically [5016] every one of their constitutions they mention somewhere that the ultimate aim of the workers is a change of society to a socialistic form. I don't think any of them that I can recall specifically say how it will be done, but they lay down the general aims.

"I think most A. F. of L. unions, in their preambles you will find similar things. In the American Federation of Labor constitution itself you will find that the preamble of the constitution deals with the class struggle and says that it must continue until the workers take over, if I recall the wording correctly, something along that line, until

the workers get their proper share of the products of their labor.

“Q. I am referring now to the preamble to the constitution of the American Federation of Labor.

“Is this what you mean?

“‘Whereas, the struggle is going on in all the nations of the civilized world between the oppressors and the oppressed of all countries, a struggle between the capitalist and the laborer, which grows in intensity from year to year and will work disastrous results to the toiling millions if they are not combined for mutual protection and benefit.

“‘It, therefore, behooves the representatives of the trade and labor unions of America in convention [5017] assembled, to adopt such measures and disseminate such principles among the mechanics and laborers of our country as will permanently unit them to secure the recognition of rights to which they are justly entitled.

“‘We, therefore, declare ourselves in favor of the formation of a thorough Federation, embracing every trade and labor organization in America, organized under the trade union system.’

“Is that the sort of preamble that you have in mind?

“A. Yes. I think that preamble is common in practically all constitutions.

“Q. And to your mind does that preamble express the existence and recognized existence of what you termed in your discussion yesterday a class struggle?

“A. I think it expresses it better than I did.

"Q. Are there many unions affiliated with the American Federation of Labor which have similar provisions in their constitutions?

"A. I don't know if there are many left in the American Federation of Labor. I would say that the majority of the unions that withdrew from there and went with the CIO, in most cases had such preambles, but I am not quite sure if they continue in the constitutions of the ones that are remaining. Generally, you will find that, or some reference to it. No trade unionist denies the existence of the class struggle. [5018]

"Q. Now, recognition of the existence of a class struggle, does that necessarily mean that the attitude of these unions, or of yourself, is generally along this line: That there must be a revolution by force and violence to effect a change in the situation?

"A. Not at all. The difference—in other words, that is one of the basic differences between a company union and a bona fide union. You will notice that the foundation and all the principles of a company union—if you examine a company union's constitution you will find in there it saying such things as"—

Mr. Del Guercio: (Interposing) "such as."

Mrs. King: Yes, Excuse me

"... such as that the employer and the employee have everything in common; that the employers' interests are the employees' interests; and so on. That is what you find in the preamble of a company union. But when you get a bona fide labor union you can't help but see that the employers' interests and

the employees' interests are not the same. Every time the employees get a raise in wages the employers get less profits so it is impossible, it can't be done, and everybody recognizes that.

"Q. Despite that fact, or, I should say, in view of that fact that the interests of the employer and the employees are dissimilar and opposed to each other, as you have explained, [5019] would you say that the intention in these preambles is to express a revolutionary attitude involving the concept of force and violence?

"A. No; definitely not. I have never heard anybody doing it, or construing it that way.

"Q. Did you intend in your discussion yesterday on the subject of the class struggle to give the understanding that you believed that these changes, for which a desire is expressed in this preamble, must be brought about by forcible and destructive means?

"A. No. I don't think I said that anywhere. I think I explained that. It was certainly not my intention."

Presiding Inspector: I think we will stop now at this point until tomorrow morning at ten o'clock.

(Whereupon, at 4:16 P. M., an adjournment was taken to Friday, May 23, 1941, at 10:00 A. M.) [5020]

Court Room 276,
Federal Building,
San Francisco, California
May 23, 1941.

Met, pursuant to adjournment, at 10:00 A. M.
[5021]

PROCEEDINGS

Presiding Inspector: In respect to the reading of the long history, I don't want to pass on the effect of that testimony, on a ruling on the testimony, and I will, therefore, let you read it and will reserve whether it has any effect as a question of decision.

Mrs. King: Thank you, your Honor.

I am reading now from the top of page 3075:

(Reading from testimony of previous hearing.)

"Q. I didn't mean only for the paper itself, but the strike; did you get any financial help?"

"A. Oh, yes. The strike was supported after it got rolling along pretty well—was supported all over. All the unions came through with very large and frequent contributions. As a matter of fact, when we ended the strike we had more money in the treasury than when we began.

"Q. Now, did various individuals come and help you with the strike?"

"A. Oh, dozens of them. I can't recall, but at times like that a lot of people came down and would offer this or that, or volunteer their help, technical and otherwise. I can recall that three people came down and turned over brand-new machines to us;

we were a little skeptical, we thought there might be something wrong with them.

"A lot of people came down: Stenographers or bookkeepers and publicity experts, some college people came over and [5022] offered to help and aid, and it was quite an affair. There was a lot of that kind of stuff.

"Q. And did you use all of this help that was offered you?

"A. Not all of it. For the first few days of the strike things were pretty hectic. There wasn't many men there that knew what it was all about, and it was all generally handled through me, until we—the first few days of the strike the great job was to get everybody off the job and to get the thing lined up, get the picket line established, get the committees functioning; so we didn't pay much attention at that time.

"But later on we used a lot of this help, except we was able to select them and tell some we didn't need them, and some that we did, and they done us a tremendous amount of good.

"Q. And most of the people who went on strike at the beginning were members of the International Longshoremen's Association?

"A. All of them.

"Q. Nobody else went out?

"A. Nobody else struck. We were the only ones that struck on May 9; no other union.

"Q. When was the next time anybody went out?

"A. May 10, the Marine Workers Industrial Un-

ion. [5023] Following them were the Association of Machinists and Boilermakers.

"Q. When did they go out?

"A. Around May 12, and then—they were the next.

"Q. And then what?

"A. They were the next. The Machinists and Boilermakers were the next organization—they didn't strike; they just quit working on the waterfront and refused to handle any struck work. The employers immediately started to put strike breakers to work, and the unions refused to work anywhere on the waterfront as long as those strike breakers were there; but they worked elsewhere, of course.

"Q. And then did other groups go out?

"A. May 15, the Seamen struck. At that time, of course—around May 12, the employers suspended all coastwise shipping service. In other words, they shut down all coastwise shipping; their strategy being that they could fight the strike better by not having coastwise vessels operating. That, together with our picket lines, and together with the pressure of the M. W. I. U. already on strike, forced the Seamen to call a strike.

"Of course, it has got to be understood that the Seamen at that time, with the so-called union they had, was under the ironclad control of—the iron control of reactionary officials, and when I went over there and tried to argue with those of— [5024]—ficials, and say 'Now; this is your opportunity to rebuild your union back to where it was in 1921,' after all,

I was an old member of the Sailors Union—why, they practically threw us out of the office and said we should attend to our knitting.

“Eventually, however, we forced them to call an official strike, and that took place May 15, 1934.

“Q. Was that strike called as a result of your efforts or really because the Coastwise shipping had been called off?

“A. Well, the fact that the Coastwise ships shut down, that forced all seamen ashore from all coastwise ships, and helped; but I think it was mainly the results of my efforts. I am not a bit ashamed of it.

“Q. What was the coastwise shipping? Where did that go from and to?

“A. That was the ships that only run on the Pacific Coast; in other words, distinguished from ships, say, that would run to China, or intercoastal ships running from Baltimore, New York, Philadelphia, which we call intercoastal or deep water ships. The coastwise ships are the ships packing coastwise up and down the Pacific Coast.

“Q. Now, after the Seamen went out on strike on May 15, what was the next group that went out?

“A. Well, there was—the next groups were the licensed officers. The next particular group was the radio operators on board the ships. Following right behind them [5025] were the licensed officers, that is, the captains and the mates and the pilots on the ships, and the engine-room officers, the engineers. They struck somewhere around the middle of June: I think it was June 10.

"Q. Had any demands been made by any groups except the longshoremen?"

"A. Not at that time."

"Q. And will you go on to develop the other groups as they went out?"

"A. Well, by approaching the middle of June everything on the waterfront—all unions on the waterfront were on strike or in support of it. Two weeks after May 9, the Teamsters, which were a very important group and a key group in the strike voted to refrain from hauling to or from the waterfront. Now, that in effect was not a strike except on the waterfront; they hauled elsewhere in the city."

"The towboats—we managed to get the towboats to refrain from handling any ships worked or manned by strike breakers, and that just about completed the picture. So around the middle of June we had things pretty well sewed up, up and down the Pacific Coast. All groups on all ships on strike, although the ships and the ports were operating with strike breakers, generally speaking, as the strike was being felt and was very effective."

"It was an industrial strike. We had it organized pretty [5026] well by that time, and despite predictions that we were going to be beaten in two days everybody swung around the other way and started to predict it was going to last six months."

"Q. And during this period your demands on the employers continued the same as when the strike broke?"

"A. No, we began to drop our demands then. We first of all agreed—Edward F. McGrady, the Assistant Secretary of Labor, was in the scene and attempting to mediate the strike. They were proposing arbitration, and we were refusing to arbitrate, particularly the issue of recognition of the union, and the union hiring hall, which was somewhat the same as a closed shop. We refused, all of us, to arbitrate for that reason.

"However, we did by that time agree to arbitrate hours and wages, but we still held on and refused to arbitrate the question of hiring halls. Then, of course, the other issue cropped up. By that time we had the seamen sufficiently well organized that we had drawn up a set of demands for them, and we came to an agreement before the middle of June that no one union would return to work by itself; we would all go back together, and that no one union would accept an agreement until we all had an agreement. That had been accomplished by around the 8th or 10th of June.

"Q. And what caused the spread of the strike? Up until that time it was purely maritime, marine workers' strike; [5027] isn't that correct?

"A. Well, it was purely a marine workers' strike up until July 15, when we had the general strike.

"Q. How did the strike spread?

"A. As a general strike?

"Q. Yes.

"A. Well, we got nowhere in negotiations. The negotiations for the employers were being handled

by the Industrial Association. The Industrial Association was an association pledged to the American plan or open-shop plan, therefore they were determined not to give us any settlement of the strike that would do us any good.

"As a matter of fact, the only settlement they offered us was ones that we knew would completely eliminate every militant union off the waterfront; a settlement to return, for example, and keep the strike breakers on the job at the same time. In other words, settlements that were impossible.

"It was much better to fight and be completely beaten than to accept any of them. So negotiations did not get very far. Eventually they sat down and worked out another line of strategy, and that was to bring a tremendous amount of public opinion to bear. They started the Red scare business, this deportation hearing started then; that is when the first demands, I think, for my deportation came up, at that time.

"And the Industrial Association, after working up a lot [5028] of publicity with the able support of the press at that time, set a day when they were going to open the port. They had the Mayor of the city in full support of them, they had the police department—they were standing by with their orders—and so forth, and I think it was July 3, 1934, the date set to open the port. And what they meant by opening the port was to release the cargo from the docks the ships were working. They had enough strike breakers on the ships and on the docks to work the cargo, but it was piling up in the

docks and there was no more room left on the docks, they were full and no more cargo could be put on the docks, and they had to find some way of getting it off the docks because the strike had bottled up.

"So when they talked about opening up the port it meant that they were going to hire strikebreakers for teamsters and remove the stuff from the docks. And on July 3 we sent out an emergency call to all unions in the city to come down and string a mass picket line along the entire waterfront. When that was done the police charged the picket line and removed them, and they run a little bit of freight out of two or three of the docks and they utilized it, of course, to proclaim in very glaring headlines that the port at last was open; mainly all directed, of course, to breaking the morale of the strikers.

"Well, I remember at that time I knew that they had made a foolish move. It was all very well to use strike breakers and a lot of publicity on us, and the old Red scare, [5029] but when they started to put strike breakers in the place of the teamsters' union, which was an old established and conservative union, and started to call the teamsters a bunch of Reds, it just didn't work. So we got then the full and complete cooperation of the teamsters, and that is when we really started to get organized, and that was the beginning of the spread of the strike from July 3 on.

"July 5 was the famous 'Bloody Thursday,' when the police began—they gave us a day off on July 4, while they engaged in a patriotic parade, and then

the first attack took place again on July 5 at seven in the morning. I was in the strike committee, a meeting of the strike committee, and they packed two men in there who had been shot. The battle raged all that day, and when I say battle I mean that it was just a deliberate planned attack to shoot the men back to work, and anybody that knows anything about it knows that.

"Out of the 400 men that were shot, the majority of them were shot in the back. The two men that were killed were shot in the back. It was a deliberate planned murder by the police, and we are never going to forget it. Every July 5 we parade on the streets here so that they know we are not forgetting it.

"And that ended that night with the government calling out the National Guard. On July 9 we organized a mass [5030] burial of the two men that had been killed, and from then on began to organize a general strike which took place on July 16. The general strike was brought about and deliberately organized by us as a mass protest against the killing and the murder of the men on the waterfront, and it was successful.

"Q. When you say it was successful, what do you mean by that?

"A. I mean that it stopped the terror, it brought to the attention of the people just what was going on and who was responsible. It broke down the employers' position, where the people began to demand a settlement of the strike, and it brought into play all the forces of the labor move-

ment; and if there hadn't been a settlement made at that time the strike would have spread.

"It also brought into play the forces of the Federal Government, where they realized apparently for the first time that the millions of dollars that they were putting into subsidize shipping lines were being used to purchase bullets and tear gas to shoot us down with. It is a matter of record now that the greatest purchasers of tear gas, shotguns and so forth, in 1934, were the waterfront employers of the Pacific Coast, and it was actually purchased with Federal money that they had gotten from Federal ships' subsidies.

"Q. Now, Mr. Bridges, was there any effort to take over the government at that time, or create a revolutionary [5031] situation, as a result of this general strike?

"A. When we organized for the general strike and put the leaflets out all over the country, some 200,000-odd, the leaflet contained the fact that there would be no attempt to interfere with such things as lights, electricity or gas; there would be no attempt to interfere with the movement of foodstuffs, the operation of creameries or bakeries; but all of those other things were going to be struck, and that is the way it eventually worked out.

"Of course, the city took the opportunity to cry a lot about taking over the country and taking over the city, and all that, and set up an emergency state of affairs, but it wasn't necessary. The guard was on there, there was martial law on the waterfront, there was tanks, light artillery, machine guns,

barbed wire entanglements, sand bags and everything. It looked like a battleground, and it certainly looked like they wanted to take over the city, when all the men were asking at that time was a hiring hall of the union; that is all they were asking for at that time. They had forgotten wages, hours, and everything else, and was only asking for the hiring hall.

"And as far as taking over the city was concerned, the records of the general strike and what the program was is still available, and the way it was voted on.

"But of course, something happened at that time: [5032] William Randolph Hearst in London began to send daily cables, and the publishers—the newspaper publishers organized, headed by John Francis Neylan, and deliberately planned to lay a scare up and down the Pacific Coast of bloody revolution and the fact that we were attempting—the revolution was here and that the purpose of the whole thing was to take over the city."

Mr. Del Guercio: (Interposing) Of course, your Honor——

Presiding Inspector: This isn't evidence and don't prove anything. It is only to show the attitude of this man's mind. I think it may be pertinent on that if that attitude is in question in the case, which isn't yet determined. This isn't proof of any fact. [5033]

Mr. Del Guercio: No, but I was questioning that it was even remotely connected with it.

Presiding Inspector: It was a part of the examination of Mr. Bridges in the other hearing. I will take it.

Mrs. King. "General Johnson went on the air and worked up a lynching spirit, and his exact words were that, 'We have to run these people out of town like rats.'"

"Rossi and Governor Merriam were on the air calling for the blood . . ."

Presiding Inspector: Of course, it doesn't prove that any such thing happened. It is just as to the attitude of this man's mind.

Go ahead.

Mrs. King: ". . . and the lynching of the strikers, and they tried to work up and they did work up such a spirit that it would have been foolish to try and continue the strike any longer. Every one of us seen that; and the general strike was called off.

"At the same time, the vigilantes were in action, with the collaboration of the police—I don't know about the collaboration part, but I notice that as each vigilante group hit headquarters, or radical headquarters; there was no police within half a mile; but five minutes after they left and they had clubbed everybody into unconsciousness, I notice the police [5034] came around and arrested everybody that was lying around unconscious. But they never got one vigilante.

"And later on, in those cases, as I recall, the city had to make good. In other words, the various clubs that they had raided, like the Finnish Society in San Francisco, and the Finnish Society in Berke-

ley, the I. W. W. union hall, and certain other places that they raided under the guise of being Communist headquarters, the cities were eventually forced to pay for the damage done to those places under the guise of calling the people Reds.

"We moved all of our records out of the union hall because we expected to get it any minute, but we were standing by. But the vigilantes didn't come by our hall, and maybe it is a pity they didn't, because we were ready."

I am leaving out the talk between counsel at that point.

"Q. Mr. Bridges, just a question or two about the general strike before we pass on to some other subject matters. Will you state briefly the mechanism by which the general strike in San Francisco was brought about?

"A. We presented a resolution in the San Francisco Labor Council.

"Q. To what effect?

"A. Asking that the Council recommend to all unions to take a vote to walk out unless the demands of the strikers on the waterfront were granted as of a certain date.

"The walkout was to take place Monday, July 16, 1934. [5035]

"The resolution was concurred in by the Central Labor Council and the various unions began to vote."

Mr. Del Guercio: If the Court please, I think the record ought to show that these are questions

that were asked the Alien here by Mr. Gladstein, his counsel.

Mrs. King: There is no objection to having the record show that.

Presiding Inspector: Yes.

Mrs. King: "Q. You say 'concurred in' by the Council.' You mean the delegates to the Council?

"A. The delegates to the Central Labor Council.

"Q. Can you state briefly how the Council was composed?

"A. The Council was composed of delegates elected from each local union in this area affiliated with the Central Labor Council.

"Q. How was the number of delegates from each union determined?

"A. By the number of members in the union: one delegate for the charter, and one delegate for every hundred members, with a maximum number of 10 delegates allowed to the Council.

"Q. So it would be fair to say that the delegates to the San Francisco Central Labor Council formed a properly proportioned representative group, representing all of the unions in San Francisco?

"A. It changed after that. A general strike committee [5036] was elected because the resolution also asked each union to elect five representatives which would form a general strike committee, and that committee was formed.

"It was that committee that actually called the general strike. In other words, although the delegates to the Labor Council and the delegates to the strike committee might have been one and the same,

it was not necessarily so. In some cases new people were elected instead of the delegates.

"Q. But when you first presented the resolution to the Central Labor Council calling for a general strike, the delegates present at the meeting voted, is that right?

"A. Yes, that is right. I am trying to think—there might have been some other mechanics. That is right. The resolution was first adopted by the Central Labor Council and sent out to all unions asking them to elect five members to form a general strike committee and to vote on the question of a general strike.

"Q. And when that procedure had been followed then you had a joint strike committee, is that correct?

"A. A general strike committee, composed of five delegates from every union in the San Francisco area.

"Q. Do you recall the total number of members of that general strike committee?

"A. It filled that main auditorium of the Temple. It would be around 400 or 500.

"Q. Were you a member of that? [5037]

"A. I was a member of it; yes.

"Q. Now, how long was the general strike in effect?

"A. Totally in effect for about three days and then, because of the plain I described, the publicity and vigilante movement, it began to more or less break down. The street cars went back to work.

"Q. What were some of the most important arguments used to call the general strike?

"A. The general strike came about as a protest of the police terror, a protest in putting the troops on the waterfront, and we were being threatened with martial law against all unions, not only the unions on strike, but against all unions.

"Q. Was there any intention, expressed or otherwise, to seize the city administration, or overturn the government, or take steps of that kind?

"A. The majority of the unions had no demands. The only demands that any union had were on the waterfront, and the demands on the waterfront at that time were only three:

"1. The removal of the National Guard and all the strike breakers.

"2. An agreement that all the strikers be returned to work without discrimination.

"3. That the seamen be recognized also.

"In other words, when I say 'strike' I mean the longshoremen. The demands were three in number—the re- [5038] moval of the strike breakers and the National Guard, the longshoremen be returned to work and to be granted the right to hire through their own union halls, and recognition of the seamen. Those were the three demands.

Outside of those unions, no other unions—I think that is incorrect—we took the opportunity—when the general strike came around it had a very good organizing effect and in all about 35,000 new members went into trade unions. For the first time the Market Street Railway was organized. They pre-

sented demands also. They were officially on strike with demands. So outside of the waterfront they were the only union that had any demands.

"Q. Was there any talk, or any expressed intention of bringing about revolution?

"A. None whatsoever. The demands were simple demands as I have stated. There was plenty of talk. That talk was employer talk in the press and so forth. But as far as the union people were concerned, all they wanted were the things that I said. They had completely forgotten about hours, wages and working conditions. It was a question of getting back on the job.

"Q. How long did the entire strike period last, that is, as far as the longshoremen were concerned?

"A. The general strike ended July 19, I think. The waterfront remained on strike and finally ended in an agreement with the employers to arbitrate all issues in dispute [5039] for all the waterfront unions July 31, and all the waterfront unions returned to work together at 8:00 A. M. July 31.

"Q. What fundamental difference was there between the agreement to arbitrate all those issues and the previous proposal of the employers to arbitrate?

"A. When we went back to work it was agreed that the issues would be arbitrated by a Board selected by President Roosevelt, that all strike breakers would be discharged, that the National Guard would be removed, that there would be no discrimination against any of the men returning to work because of trade union activity.

"Q. And to what crafts was this arbitration to apply?

"A. All of the crafts on strike.

"The difference between that and what we had been offered before—before they had only recognized the longshoremen and they completely refused to recognize the seamen. Of course, that meant disunity. Eventually, the way it worked out, we all returned to work together with an agreement to arbitrate the demands of all unions.

"Q. And that is the way the arbitration was conducted?

"A. The arbitration was conducted that way, and an award was handed down for the longshoremen October 12, 1934; and later on handed down for the other unions."

Now if your Honor please, there is only one more passage which I have asked to read.

Presiding Inspector: That is that very short passage? [5040]

Mrs. King: Yes, on page 5951.

Presiding Inspector: I have read that. You may read that.

Mr. Del Guercio: Over our objection.

Presiding Inspector: Over your objection.

Mrs. King: It is just preceding the passage that was read by the Government on page 5952.

Presiding Inspector: It was about a page. [5041]

Mrs. King: (Reading)

"Q. I want to go now into the matter of your publication of the Waterfront Worker. That is on page 2720.

"I think you testified that the Waterfront Worker had been——"

Presiding Inspector: That doesn't mean anything now, page 2720?

Mrs. King: That is 2720 of the previous transcript.

Presiding Inspector: In this transcript it doesn't mean anything?

Mrs. King: No.

Presiding Inspector: That is just an explanation.

① Mrs. King: (Continuing reading):

"I think you testified that the Waterfront Worker had been published prior to that by the M. W. I. U.

"A. Prior to the time we started to publish it?

"Q. That is right.

"A. I think it was, yes.

"Q. I think you said also that you purchased the mimeograph machine of the M. W. I. U., is that correct?

"A. I don't think I said that.

"Q. Just a minute:

"What press did you use?"

"This is page 2723.

"A mimeograph machine.

"Did you buy the mimeograph machine? [5042]

"We bought it.

"From the M. W. I. U.?"

"No, we put up the money ourselves to buy it. We rented it first; later on we bought it outright."

"Is that correct?"

"A. That is right."

Now, if your Honor please, as you know we have asked to have the entire testimony of Mr. Bridges at the prior hearing annexed to this hearing, or become a part of this hearing. At that time your Honor stated that there were certain meetings referred to in the prior transcript which are of no concern to us at this time. We have, consequently, attempted to separate those meetings and are now asking to incorporate in this hearing all this remaining testimony of Mr. Bridges.

I had a list made up, a copy of which I will now give Mr. Del Guercio, of all that material, and I assume he will want to see what it is before he goes into it any further.

I would ask at this time to incorporate the testimony as indicated on this sheet of paper, which I will give to your Honor.

Presiding Inspector: You will want to look at it, Mr. Del Guercio? You can't object or anything else at present.

Mr. Del Guercio: No. But I want to call the Court's attention here to the unusual offer being made. As I understand it, all we have done here for the past six weeks [5043] is to read portions of the testimony that counsel thought was admissible on the theory that it related to matters concerning which the Government introduced from the previous hearing. Now, they come in with this offer. On what ground is this offer made?

Mrs. King: The ground of this offer is that all of the testimony of Mr. Bridges is relevant on the

material that was read by the Government, and on the general principle that you do not take a word, a phrase, a sentence or a paragraph out of the context, but that the whole testimony is relevant. On the other hand, we have excluded such portions as dealt specifically with the testimony of the witnesses for the Government at the last hearing. So that what we are asking to incorporate in the record is the general operation of this man's mind on the situation, his connections, his view of the situation, and, in a sense, his defense, which explained the sentences, or the pages, which the Government previously read:

It was the Government that referred to the last hearing in this case in the first instance. We feel that all of this matter is relevant to the problems which are presented by the quotations which the Government read and, for that reason, we ask to incorporate the whole thing, and we particularly ask that your Honor examine these portions so as to see whether we are entitled to incorporate them.

[5044]

Presiding Inspector: We will postpone any ruling on this until later; say, Monday morning.

Mrs. King: Now, I believe that, your Honor planned to make some disposition of the subpoena applications that were made to you yesterday, or do you want to leave this go until Monday?

Presiding Inspector: Let's get that out of the way now.

I have two applications here for requests that the proper officials issue, that is, that I request, in

turn, the proper official to issue a subpoena to three persons; Frances Perkins, Gerard D. Reilly and Lemuel B. Schofield, in order that evidence may be given to bear upon the question of whether Mr. Bridges, in respect to this proceeding has been denied the equal protection of the laws guaranteed to him by the Constitution of the United States; the testimony sought being in respect to rulings by the Immigration and Naturalization Service, and sundry actions under those rules and actions in respect in general to the institution of deportation proceedings by reason of membership, or affiliation in the organizations known as the Industrial Workers of the World, Marine Workers Industrial Union, International Labor Defense, Trade Union Unity League.

This is, in substance, the application, isn't it?

Mrs. King: Yes.

Presiding Inspector: The subpoena will show for itself, [5045] the application being made, more fully.

Mrs. King: Yes. The application further states, your Honor, that there are large numbers of aliens in these groups in the United States.

Presiding Inspector: The application itself will show that?

Mrs. King: Yes, sir. [5046]

Presiding Inspector: Well now, Frances Perkins is Secretary of Labor, the head of the Department of Labor of the United States Government.

Mrs. King: Correct.

Presiding Inspector: Who is Gerard D. Reilly?

Mrs. King: He is, and has been for a number of years the Solicitor of the Department of Labor and was the Solicitor of the Department of Labor at the time that the Immigration and Naturalization Service was within the Jurisdiction of the Department of Labor.

Presiding Inspector: And where is he now?

Mrs. King: He is still the Solicitor of the Department of Labor.

Presiding Inspector: And Lemuel B. Schofield has already been sworn as a witness?

Mrs. King: Yes. In connection with his testimony his position in the Immigration Service was set forth.

Presiding Inspector: Well now, I decline to issue this subpoena for the reason that these people are officials of the Federal Government and the testimony which you seek to bring out from them is in relation to the conduct of Departments or employees or officers of the Federal Government, so that you seek to bring them in not as individuals—of course, you seek to bring them in personally, but you seek to examine them in respect to the conduct of their sundry offices. [5047]

That is one reason. I decline to issue the subpoena on that account. I think that is not within the power of this Department.

Secondly, I decline to subpoena them because this is not an issue. This legal proposition is not an issue in the hearing before me as a Presiding Inspector. This is something relating to the conduct of the Department of Justice and I haven't

been given any authority to hear anything but a hearing on this warrant in respect to the factual basis of the warrant.

I also decline to issue the subpoena as to Lemuel B. Schofield because he has already been a witness in this proceeding and you already had an opportunity and no new matter has arisen which calls for his return now.

I think that covers my position as to them.

Mrs. King: May I be heard on that, your Honor, just for the record?

Presiding Inspector: Yes.

Mr. Del Gaercio: If your Honor please, I object to any further argument on that ground. This is the first subpoena that has been taken up in open Court.

Presiding Inspector: Yes. But it is the first subpoena that I have denied, the first request that I have denied.

Mrs. King: If your Honor please, with reference to the last ground, even though Major Schofield was here and was sworn as a witness, in other cases, as your Honor knows, where witnesses have left the Court permission has been granted by your Honor to bring them back again.

Presiding Inspector: There have been special circumstances. But the other two reasons are sufficient in any event.

Mrs. King: And with reference to the other two reasons, I would like to say that we are not in a position without this testimony to prove that.

with reference to the Industrial Workers of the World, there have been no deportations as far as we have been able to discover since 1920, and that the singling out of Mr. Bridges for deportation on this ground we believe to be a denial of equal protection. But we are not in a position to know the regulations, the rules and so on.

Presiding Inspector: This isn't the place to raise that.

Mrs. King: But I just want the record clear on this issue.

Presiding Inspector: Yes, you have got it.

Mrs. King: And with reference to the Marine Workers Industrial Union, the International Labor Defense and the Trade Union Unity League, as your Honor knows, all of those were covered in the opinion of Solicitor Wyzanski under date of January 3, 1934 and the subsequent order of the Commissioner of Immigration, Colonel McCormick.

Presiding Inspector: Those are factual determinations.

Mrs. King: And we feel—

Presiding Inspector: (Interposing) And they are not [5049] matters of consideration before this Inspector in respect to the matters of the warrant which has been served upon Mr. Bridges.

Mrs. King: We feel that these factual considerations are matters which we are entitled to have in order to show that in the case of the IWW he has been singled out for the first time in 21 years, and in the other case it is a matter of approximately 7 years since anyone has been ar-

rested on the charges which have been leveled against Mr. Bridges in this case. And we feel that we are entitled to show the regulations and the process of the Immigration Service in order to establish the violation of the Fifth Amendment and the denial to Mr. Bridges of equal protection of the law.

Presiding Inspector: The other application relates to the same matter and relates to the same persons, but adds to it the request for a subpoena duces tecum to produce documents in the possession of the United States. This Inspector, a minor official in the Department of Justice—and I am using the language, I think, of Dean Landis—has no power to make such an order. And I add this to the other reasons that I gave in respect to the denial of the application for the other subpoena.

Now, I think that puts the whole thing in this record so that, if I am wrong in this, you will have an opportunity to argue this matter.

Mrs. King: If your Honor please, may I offer the applications in evidence? [5050]

Presiding Inspector: You may have them marked for identification. They are not evidence.

Mr. Del Guercio: We object to the introduction in evidence.

Presiding Inspector: No. I won't receive them in evidence, but I will allow them to be marked for identification.

(The documents referred to were marked Alien's Exhibits Nos. 28 and 29 for identification.)

Mrs. King: I have just one other matter. If your Honor pleases, we have been hearing for the last few days some of the problems that the testimony of Mr. Cannalonga brought into this hearing. I believe that you have in your possession, or perhaps they have gone back to the Government, two letters from the Immigration Service in the Northwest with reference to the attempts of the Service to subpoena Mr. Cannalonga.

The Defense feels that those letters are properly a part of the record in this case in view of what has transpired, and we should like to have, if possible, those letters introduced in evidence.

Presiding Inspector: Let's let them stand until the close of your case because Cannalonga may be produced. I don't know.

Mrs. King: Thank you, your Honor. That is quite satisfactory.

Presiding Inspector: Bring it up at the close of the case. [5051]

Now, Mrs. King, produce your next witness.

Mrs. King: I am afraid that I am not in a position to produce any witnesses today because the Defense office has been somewhat disorganized but made rather happy by the fact that the next generation of lawyers for Harry Bridges has been born. Mr. Grossman became a father last night.

Perhaps in my enthusiasm as a woman and one who is very much interested in the birth of Miss Grossman, I may have said something inappropriate at that moment. But I request on behalf of the Defense an adjournment of this hearing

until Monday so that we can reorganize ourselves on the new basis and go forward to the conclusion of the hearing without any further delay.

Presiding Inspector: I understand from what you have said that Mr. Grossman has been particularly working on the examination of the witness or witnesses whom you intend to produce?

Mrs. King: That is correct, your Honor.

Presiding Inspector: And that it is on that account that you can't go ahead and do justice to your case as you see it without his presence?

Mrs. King: That is correct.

Mr. Del Guercio: I don't believe, however,—we have no objection, of course, to that—but to take that as an opportunity to refer to Harry Bridges I think was entirely [5052] out of place, bad taste.

Presiding Inspector: I think it was in lighter vein.

Mrs. King: I withdrew it instantly, Mr. Del Guercio, and I am extremely sorry I said it.

Presiding Inspector: We will recess until Monday morning at ten o'clock.

Before we go. I want to say something about Friday. I hope that you are going to be able to finish your side of the case next week and, of course, if you do finish by Thursday night perhaps it would be better not to sit on Friday. But if you do not finish by Thursday night I think we had better continue on Friday even though it is Memorial Day.

Is that agreeable?

Mr. Del Guercio: Perfectly agreeable.

Presiding Inspector: If they do finish on Thursday you would rather prefer to have it go over until Monday?

Mr. Del Guercio: Either way will be satisfactory to us.

Presiding Inspector: Monday morning at ten o'clock.

(Whereupon at 10:50 o'clock A. M. an adjournment was taken until Monday, May 26, 1941, at 10:00 A. M.) [5053]

Court Room 276,
Federal Building,
San Francisco, California,
May 26, 1941.

Met, pursuant to adjournment, at 10:00 A. M.
[5054]

PROCEEDINGS

Presiding Inspector: For my own convenience today I am going to change the hours slightly, and we will sit from ten o'clock until twelve o'clock, recess until two o'clock and sit from two o'clock to half past four, so we will have just as much time for the hearing, with a longer recess at noon.

Call your next witness.

Mr. Grossman: Will you take the stand, Mr. Meyer?

Presiding Inspector: Raise your right hand.

LEE A. MEYER

called as a witness on behalf of the Alien, having been first duly sworn, testified as follows:

Direct Examination

By Mr. Grossman:

Q. Will you state your full name, Mr. Meyer?

A. Lee A. Meyer—M-e-y-e-r.

Q. What is your position?

A. State Administrative Officer of the Works Progress Administration of Oregon.

Q. Are you here in response to a subpoena, Mr. Meyer? A. Yes.

Q. Which was served, was it, on Mr. Griffith, the State Administrator of the WPA?

A. A subpoena was served on him, but later another one was served on me. [5055]

Q. I see. Have you brought with you the records or documents that were called for in this subpoena?

A. We weren't able to produce all it called for because they were not all our documents but I have produced all of the documents bearing upon the case and person whom you mentioned in the subpoena.

Q. Will you state what you, in your position in the WPA, have to do with the documents that you have brought? Do you supervise or control those documents? A. Yes, sir.

Mr. Del Guercio: Have the witness speak a little louder, please.

Presiding Inspector: Speak louder, please.

(Testimony of Lee A. Meyer.)

The Witness: Yes, sir.

By Mr. Grossman:

Q. Are you familiar with the way in which the various records that you have brought with you have been kept? A. Yes, sir.

Q. May I see them, please, the documents you have brought in response to the subpoena?

A. (Producing documents) There are two sets of these documents; one is a set which is kept by the Employment Division, and the other is a set which is kept by the Division of Finance, who have to do with the paying for the work. They are so marked. [5056]

Mr. Grossman: Just one moment, your Honor.

By Mr. Grossman:

Q. Mr. Meyer, will you examine those documents and tell me what they show with respect to when Mr. Wilmot became a non-relief WPA person as distinguished from a relief WPA person?

Mr. Del Guercio: Now, if your Honor please, I will object to this. Apparently there is nothing—nothing has been shown here that is contradictory to Mr. Wilmot's testimony given by him on the stand. I don't believe that we should air a person's relief record.

Presiding Inspector: I think he was asked about it, wasn't he?

Mr. Del Guercio: He was asked.

(Testimony of Lee A. Meyer.)

Mr. Grossman: He was asked. This question doesn't go into the details of his relief record.

Presiding Inspector: I will allow this, just when the change was made. He spoke of the change that had been made.

Mr. Del Guercio: I would like to see it too, if your Honor please.

Presiding Inspector: You would like to see the testimony?

Mr. Del Guercio: No, the records.

Presiding Inspector: Oh, you may see them, of course.

Mr. Grossman: I suggest if the witness could answer the question first and clarify that, there is no objection to Mr. Del Guercio seeing them. [5057]

Presiding Inspector: I think if Mr. Del Guercio insists upon it he has that right.

Mr. Grossman: Yes, that is right.

(The records referred to were passed to Mr.

Del Guercio.)

Mr. Del Guercio: Now, if your Honor please, we renew our objection.

Presiding Inspector: I will allow ~~it~~. This is to fix a date.

Mr. Grossman: That is correct.

By Mr. Grossman:

Q. Do you remember the question, Mr. Meyer?
The question was—

(Testimony of Lee A. Meyer.)

Presiding Inspector: (Interposing) We will have the question read.

Mr. Grossman: I can do it more simply by restating it, your Honor.

Presiding Inspector: Very well.

By Mr. Grossman:

Q. The question was when the status of Mr. Wilmot was changed from relief to non-relief on WPA. A. August the first, 1938. [5058]

Q. Will you state what the records show as to the reason for the removal of Mr. Wilmot from WPA in 1940?

Mr. Del Guercio: If your Honor please, I will object to that as not in evidence, not in issue.

Presiding Inspector: Read the question.

(The question referred to was read by the reporter as above recorded.)

Mr. Grossman: This specific question was testified to by Mr. Wilmot.

Presiding Inspector: I can't recall it, you know. It was some time ago.

Mr. Grossman: I know definitely it was.

Presiding Inspector: I will take your recollection of that.

Mr. Grossman: I am positive.

Presiding Inspector: I will allow it. Of course, the record is really the best evidence, but no one is insisting on that.

A. The record indicates that he was dismissed from the WPA as of September 4, 1940; the

(Testimony of Lee A. Meyer.)

reason given, "Drunkenness during project working hours."

By Mr. Grossman:

Q. Do the records show anything else as the reason for his removal from the WPA?

Mr. Del Guercio: I will object to all inquiries along this line. [5059]

Presiding Inspector: I don't know what pertinence it has. You are contradicting him on a collateral point, aren't you?

Mr. Grossman: In the first place, I should think this question of relevancy was settled by our being permitted to go into the question on examination. I should think that—

Presiding Inspector: I think not, I think you are bound by his answer.

Mr. Grossman: As to the relevancy of the subject matter.

Presiding Inspector: Has a collateral relevancy; yes. Of course, you could inquire about his habits, if they were reprehensive habits.

Mr. Grossman: Secondly, it is a question of whether it is impeachment, because he did state—it is difficult to state whether it is or isn't impeachment—because he did state that the records showed drunkenness.

Presiding Inspector: I don't think it is worth arguing about. It is in the record and we will let it stand, but I wouldn't have allowed it if I had understood what the matter was, because I think you are bound by his answers in that respect.

(Testimony of Lee A. Meyer.)

It hasn't anything to do with this case. It was in 1940 that this happened. This isn't a conviction of a crime, or anything else.

I will let it stand, but don't go any further.

Mr. Del Guercio: I move to strike the witness' answer. [5060]

Presiding Inspector: I will let it stay in. I will allow it to stand. You objected to it. I don't think it is worth talking about, Mr. Del Guercio.

By Mr. Grossman:

Q. Do the records show whether Mr. Wilmot remained continuously as a non-relief person on the WPA after the eighth month of 1938?

Mr. Del Guercio: I will object to this question also on the ground that it isn't relevant or material.

Presiding Inspector: I will take it.

A. Yes, sir.

Mr. Grossman: I have no more questions at this time, but I have not been permitted to fully examine the records yet. I would like to have a five minute recess so I may. The witness felt, and I believe he was right, that I should not be permitted to examine the records before he testified; so I was unable to do so before we convened. Five minutes will be ample, though, unless Mr. Del Guercio wants an equal time to examine them.

Presiding Inspector: I think Mr. Del Guercio examined them.

Mr. Del Guercio: I have examined them cursorily.

(Testimony of Lee A. Meyer.)

Presiding Inspector: Do you want to examine them further?

Mr. Del Guercio: Not at this time.

Presiding Inspector: We will take a five minute recess.

(Whereupon a short recess was taken.)

[5061]

By Mr. Grossman:

Q. Mr. Meyer, what do the records show as to whether Mr. Wilmot was a certified or relief employee for the WPA up to the eighth month of 1938?

Mr. Del Guercio: I will object to the question.

Presiding Inspector: I will take it.

Mr. Del Guercio: Nothing contradictory has been shown.

Presiding Inspector: What is that?

Mr. Del Guercio: Nothing contradictory has been shown so far or indicated.

Presiding Inspector: Well, if it isn't contradictory you can't be aggrieved by it. I can't remember these dates, you know. I will take this.

Mr. Del Guercio: He was never asked the dates, if your Honor please, on Mr. Wilmot's examination direct or cross.

Presiding Inspector: Well, it won't make any difference. I will take it.

Mr. Grossman: Yes.

The Witness: At this time I have forgotten the question.

(Testimony of Lee A. Meyer.)

By Mr. Grossman:

Q. What do the records show as to whether or not Mr. Wilmot was continuously in the relief status up to the eighth month of 1938?

A. The records indicate—show that he was on as a relief worker during the entire time except for a period from [5062] June the 9th, 1936 until July the 7th, 1936, during which time he was in private employment.

Q. And for all other periods the records show, except for the period when he was non-relief, that he was relief? A. Yes, sir.

Q. And can you tell me from the records the entire period during which Mr. Wilmot was receiving benefits or receiving money from the WPA?

Mr. Del Guercio: I will object to that.

Presiding Inspector: Haven't you got that?

Mr. Grossman: I want to be sure the record is clear, your Honor. That is the only reason.

A. With the exception—

Presiding Inspector: (Interposing) Now, I don't understand the question.

Mr. Grossman: I want the entire period.

Presiding Inspector: You mean as a relief?

Mr. Grossman: In any way. We have the period when he was non-relief. I want the entire period now.

Presiding Inspector: Including non-relief?

Mr. Grossman: Both: yes, sir.

(Testimony of Lee A. Meyer.)

Presiding Inspector: I think that is very confusing. Why don't you have the period of relief and then you can add them up?

Mr. Grossman: All right.

By Mr. Grossman: [5063]

Q. Will you give the period or periods when Mr. Wilmot was a so-called relief employee of the WPA?

A. (Continuously from March 10, 1936 until August the first—wait a minute—August the first, 1938, with the exception of the period from June the 9th, 1936 to July the 7th, 1936, during which time he was in private employment. [5064]

Presiding Inspector: I think you have got everything. You may cross examine.

Mr. Grossman: I have something more that I want to go into, your Honor.

Presiding Inspector: Oh."

By Mr. Grossman:

Q. During 1937, and up to the eighth month of 1938, what were the rules and regulations of the WPA on the question of whether a person having relief status was permitted to have outside income and still receive the same payments from the WPA?

Mr. Del Guercio: I will object to that as being improper and immaterial. The Court can take judicial notice of what the rules are.

Presiding Inspector: I think so. I do not think you should prove it by word of mouth. There must be some written or printed rules.

(Testimony of Lee A. Meyer.)

Mr. Grossman: I thought I had properly qualified this witness, your Honor, but I think I can properly qualify him as a man who has to do with the rules in that district and, therefore, prepared to state them. It may be that he can state that he would prefer to have them presented in written form; but I think—

Presiding Inspector: I should think he would for the sake of accuracy.

Mr. Grossman: I would like to have his answer. He deals [5065] with them daily.

Presiding Inspector: You can answer whether you can state that or not.

Mr. Del Guercio: We wouldn't mind if the whole statutes, all of the law, went in; not what this witness here says.

Presiding Inspector: This is merely a question as to his knowledge; not as to what the statutes state.

Do you know about that—"Yes" or "No"?

The Witness: It cannot be stated "Yes" or "No" because the regulations have changed almost with every appropriation for the Works Progress Administration. The regulations change somewhat. I can state in general what has been the situation covering all of the period, but to give it at any particular date I would have to refer to our manual of rules and regulations.

Mr. Del Guercio: We renew our objection.

Presiding Inspector: There is no question now.

(Testimony of Lee A. Meyer.)

Mr. Del Guercio: The witness said he couldn't give it specifically, but only generally.

By Mr. Grossman:

Q. Can you state whether, during 1937 and up to the eighth month of 1938, a relief employee on the WPA was permitted to have outside income without reporting it to the WPA?

A. No, sir.

Mr. Del Guercio: I will object to that. [5066]

Presiding Inspector: Strike out the answer. I think we should have the regulations.

By Mr. Grossman:

Q. Are the regulations in such form that they could be produced in written form for this court—

A. (Interposing): Yes.

Q. (Continuing) in answer to the last question?

A. Yes.

Q. Would you be willing to, after you left the stand, send down to the Court such written regulations or rules of the WPA as covered this subject during the year 1937 and the year 1938 up to the eighth month?

Mr. Del Guercio: I will object to that, your Honor. I think the Court will take judicial notice of the Federal Statutes.

Mr. Grossman: Assuming that you can, you still must have them brought to your attention. It would be difficult for us to find it in the WPA apparatus, even if you do take judicial notice of it.

Presiding Inspector: This is a question as to whether he would be willing to send them down.

(Testimony of Lee A. Meyer.)

Mr. Grossman: Able and willing.

Presiding Inspector: Can you answer that, whether you could?

The Witness: Yes, I think so. [5067]

By Mr. Grossman:

Q. Will you state whether the records you have with you show that any report of outside income was made by Mr. Wilmot to the WPA during the year 1937 and during the year 1938 up to the eighth month?

Mr. Del Guercio: I will object to that, your Honor. Nothing here has been indicated as to whether these are the complete records of Mr. Wilmot, and I object.

Presiding Inspector: He asked him about that.

Mr. Grossman: He said they are the complete records of the WPA. He indicated there were others, but not in the custody and control of the WPA.

Presiding Inspector: I will take it.

The Witness: The question?

By Mr. Grossman:

Q. Will you state whether the records you have with you show any report by or on behalf of Mr. Wilmot of outside earnings to the WPA during—

Presiding Inspector: I think you should ask him preliminarily whether these records include such matter in general.

By Mr. Grossman:

Q. Do the records that you have brought down

(Testimony of Lee A. Meyer.)

here—rather, do the type of records that you have brought include, if there is any, every report made to the WPA of outside earnings while a person is on WPA? [5068] A. Yes, sir.

Q. Do the records you have brought with you include any report made by or on behalf of Robert Wilmot of his, or his family's outside income during the year 1937, or the first seven months of 1938?

A. No, sir. [5069]

Q. Will you state, using the records, if they will aid you, whether Robert Wilmot or any person on his behalf made any report to the WPA of outside earnings during the year 1937 or the first seven months of 1938?

Mr. Del Guercio: I will object to that, your Honor.

Presiding Inspector: Haven't you already covered it?

Mr. Grossman: No. I asked him whether the records contained it. I am now asking him to state, using the records if they will help him, whether a report was so made.

Presiding Inspector: Why, how would he know anything more than the records?

Mr. Grossman: He would be able to do this: He would be able to do this reasoning from the procedure in the WPA and the records.

Presiding Inspector: There is no use reasoning from that unless we know what the procedure is.

Mr. Grossman: You mean, unless I should ask certain preliminary questions?

(Testimony of Lee A. Meyer.)

Presiding Inspector: It seems to me you have covered it all.

By Mr. Grossman:

Q. What is the procedure in the WPA in Portland, Oregon, with respect to the receiving of and the filing in the official WPA records of reports made by or on behalf of relief employees of the WPA as to their outside earnings? [5070]

Mr. Del Guercio: I will object to that as being immaterial, if your Honor please, and even if the witness here gave a negative answer to the previous question it wouldn't contradict anything.

Presiding Inspector: Well, that may be. I am taking Mr. Grossman's recollection on that because I don't think it is worth the time looking it up in the record. I can't see the difference between this and the question that was asked him a little while ago, but I don't object to repeating it if you want a repetition.

Mr. Grossman: I want the record to be very certain, your Honor.

Presiding Inspector: Very well. Go ahead. Do you understand the question?

The Witness: Yes.

Presiding Inspector: Go ahead.

A. At the present time a social service worker employed by the WPA must interview every WPA worker not less than once every twelve months asking them questions concerning the amount of outside income and the amount of their personal expendi-

(Testimony of Lee A. Meyer.)

tures and budget and so on, and that is entered on a record.

Mr. Del Guercio: Now, if your Honor please, I move that the witness' entire answer be stricken. He has given what is the practice or the procedure at the present time.

Mr. Grossman: I am going to ask him whether it is [5071] the same. I think it is preliminary.

Presiding Inspector: If you will do that.

By Mr. Grossman:

Q. Was the practice and procedure the same during the year of 1937 and the first seven months of 1938?

A. It goes back to the question I said I couldn't answer definitely a while ago. I am not sure just when the procedure changed. It changed several times.

Q. What was the procedure just before the present one with respect to this question?

Mr. Del Guercio: I will object to that, if your Honor please. "Just before the present" is not fixed.

Mr. Grossman: It may be that even the previous procedure would be substantially the same.

Presiding Inspector: But we don't know whether the previous procedure would cover this time.

By Mr. Grossman:

Q. Can you state approximately when would be the beginning of the previous procedure?

Mr. Del Guercio: If your Honor please, that is immaterial.

(Testimony of Lee A. Meyer.)

Mr. Grossman: Before the present.

Presiding Inspector: I will take it as preliminary, if you can say. A. I couldn't say.

By Mr. Grossman:

Q. Can you state whether it was before 1938?

[5672]

Mr. Del Guercio: If your Honor please, the witness has just testified that he doesn't know.

Mr. Grossman: He still might know whether it was before 1938.

Presiding Inspector: Yes. I will allow that.

A. You mean the present—

By Mr. Grossman:

Q. (Interposing). No, the one before the present.

A. I couldn't say.

Q. Can you state whether the present procedure began before 1938?

A. I could state that it did not.

Q. Can you state whether the present procedure began before 1939?

A. I couldn't risk that.

Q. Can you give us any idea as to the date on which the procedure before the present one began?

Mr. Del Guercio: I think that has already been exhausted, your Honor.

Presiding Inspector: You have asked that. He said he couldn't.

By Mr. Grossman:

Q. Would you state whether there is any substantial difference between the procedure which ob-

(Testimony of Lee A. Meyer.)

tained in 1937 and the first seven months of 1938 and the procedure which obtains today? [5073]

Mr. Del Guercio: If your Honor please, that is the same question in a different form. The witness has testified that he doesn't know what the procedure was at that time. He certainly wouldn't know whether it was substantially the same.

Mr. Grossman: He might very well know that since 1935 the procedure has been substantially the same, or since 1936.

Presiding Inspector: We will have to go into the question of what he means by "substantially."

Mr. Grossman: Well, if I can get a "Yes" answer to this I think I can get that very easily. If I get a "No" answer, there is no need to do that.

Presiding Inspeceor: All right.

A. Will you restate the question.

By Mr. Gossman:

Q. Can you state whether the procedure on this question is substantially the same as it was in 1937 and the first seven months of 1938 or any part of that period? A. It was not.

Q. Can you state whether in 1937 and the first seven months of 1938 the rules and regulations of the WPA required a report at least once a year to the WPA or one of its representatives of outside earnings?

Mr. Del Guercio: I will object to that, if your Honor please.

(Testimony of Lee A. Meyer.)

Presiding Inspector: That calls for the regulations, doesn't it? We are going to have those.

[5074]

By Mr. Grossman:

Q. Would the regulations answer the question that I have just asked? A. Yes, sir.

Presiding Inspector: You see, his recollection is very naturally not enough to cover this. This is a matter of detail changing probably every few months. I say, "likely". I don't know whether it does.

By Mr. Grossman:

Q. I asked you, Mr. Meyer, whether you would be willing to send down the rules and regulations. I want to be very specific as to how we will do it.

Presiding Inspector: He said he would.

By Mr. Grossman:

Q. Will you send them to Judge Sears, care of this Court room, and can you state to me approximately how long it will take you to be able to send them down?

A. I presume I could go to our Regional Office this afternoon, if I am not on the set and at that time, and perhaps get them from there and perhaps have them made up today, depending upon how much I am tied up here.

Q. The last thing I want to make clear is that I am interested in the rules and regulations covering the report of outside earnings during 1937 and the first seven months of 1938. [5075]

(Testimony of Lee A. Meyer.)

Mr. Del Guercio: If your Honor please, I will object to that. I object to the offer. I object to the request unless it can be shown that these regulations were enforced in regards to Mr. Wilmot.

Mr. Gladstein: What is the objection?

Mr. Grossman: I didn't hear the last part of it.

Presiding Inspector: He says that he will object to this unless it can be shown that these were applicable to Mr. Wilmot.

Mr. Gladstein: Were what, your Honor?

Presiding Inspector: Unless these were applicable to Mr. Wilmot.

Mr. Grossman: I will ask another question to remove that objection, if there is any basis for it.

By Mr. Grossman:

Q. Looking at the records concerning Mr. Wilmot will you state that these regulations that you are going to send down would cover the case of Mr. Wilmot?

A. The regulations that I am to send down are to cover the entire period of the WPA, are they?

Q. Would they cover Mr. Wilmot as well as others on WPA?

A. Yes sir; to the time that he was non-certified.

Mr. Grossman: That is correct. No more questions.

Presiding Inspector: Cross examine.

Cross Examination [5076]

By Mr. Del Guercio:

Q. What is your position with the WPA, Mr.

—Meyer? A. State Administrative Officer.

(Testimony of Lee A. Meyer.)

Q. How long have you held that position?

A. I have held that position since July 22, 1940.

Q. Were you connected with the project prior to that time?

A. I was connected with the Administration, yes.

Q. In what capacity?

A. As State Director of Education and Recreation.

Q. And what were your duties then? For how long a period did you hold that office?

A. I held that office from April 15, 1936 until July 22, 1940.

Q. While you had that office were you the custodian of these records?

A. I beg your pardon?

Q. Were you the custodian of the WPA records?

A. No, sir.

Q. Did you have anything to do with their preparation?

A. Only those that affected my particular part of the work.

Q. Well, would Mr. Wilmot's—

A. (Interposing): No, sir.

Q. (Continuing): Relief or non-relief record affect [5077] your duties? A. No, sir.

Q. In any way? A. No, sir.

Q. What did you do prior to 1936? Were you connected with the WPA also?

A. I beg your pardon?

Q. Were you connected with the WPA prior to 1936? A. No, sir.

(Testimony of Lee A. Meyer.)

Q. Do you know a Kenneth Fitzgerald?

A. I have heard the name. I don't know the gentleman.

Q. Was he ever connected with the WPA in Portland?

A. It is my recollection that I have heard that he was.

Q. In what capacity?

A. I don't know for sure.

Q. Did he ever have access to the records that you produced here, do you know?

A. No, sir. No, sir.

Q. Well, do you know that of your own knowledge?

A. No, sir. I beg your pardon. I want to qualify my answer. He shouldn't have had. There is no reason why he should have had that I know of.

Q. Who was the employee that made up these records? [5078]

A. These records were made up by a number of employees.

Q. Can you give me the names of them?

A. No, because they have changed employees in both the finance and the employment divisions quite often. I wouldn't know them all. [5079]

Q. Did you check the truth of everything that is on these records at any time?

A. No, sir. I just produced the records.

Q. The persons that made up these records are also relief workers?

A. No, sir.

Q. What were they?

(Testimony of Lee A. Meyer.)

A. That prepared these records?

Q. Yes.

A. The persons who prepared these records were Administrative employees.

Q. Were they relief or non-relief?

A. Non-relief.

Q. What is the difference between a non-relief worker, WPA worker, and a relief worker?

A. The difference is that a relief worker is one who has been referred by the Welfare, State Welfare Commission, to the Works Progress Administration, as being in sufficient need, and having a job on the WPA, who is assigned as such and receives what is known as a security wage.

Q. And do you accept the findings and recommendations of the State Relief—

A. (Interposing): The Works Progress Administration may reject that if they believe it not to be true.

Q. Do they conduct an independent investigation in every [5080] case?

A. They merely hold an interview with the person who has been referred.

Q. Can you answer the question I asked you "Yes" or "No"?

Presiding Inspector: I think that is a fair answer; that is an answer.

By Mr. Del Guercio:

Q. Do you know if the State Relief submitted their findings and recommendations in the case of Mr. Wilmot?

(Testimony of Lee A. Meyer.)

A. I beg your pardon, I didn't—I didn't get the first of it.

Presiding Inspector: Read the question.

(The question referred to ~~was read~~ by the reporter as above recorded.)

A. I believe there is a document here from the Relief Commission stating that Wilmot's family was a relief case.

Q. Do you know if any investigation was made by the WPA administration?

A. No, sir, I do not.

Q. Would the records show if there had been one?

A. I haven't looked to see whether it does or not.

Q. Will you look and see?

A. (Referring to date): I do not find any.

Mr. Del Guercio: That is all. [5081]

Mr. Grossman: That is all.

Presiding Inspector: You are excused.

(Witness excused.)

Presiding Inspector: Next witness.

Raise your right hand.

JOSEPH CURRAN

called as a witness on behalf of the Alien, having been first duly sworn, testified as follows:

Presiding Inspector: Give your name and address to the reporter.

(Testimony of Joseph Curran.)

The witness: Joseph Curran.

My address is 101 Cooper Street, New York City.

Direct Examination

By Mr. Gladstein:

Q. What is your occupation, please?

A. I am President of the National Maritime Union of America, affiliated with the CIO.

Mr. Del Guercio: I didn't hear that. Will the witness speak a little louder?

A. I am President of the National Maritime Union.

By Mr. Gladstein:

Q. You say it is affiliated with the Congress of Industrial Organizations?

A. Yes, with the CIO.

Q. And what, in general, is the jurisdiction of that union? [5082]

A. The jurisdiction of that union is the unlicensed personnel aboard merchant vessels, American vessels.

Q. And what is the approximate membership of the organization, Mr. Curran?

A. Approximately 55,000.

Q. How long have you been President of that Union?

A. Since 1938.

Q. Do you hold any other office in the CIO besides the Presidency of the Union?

A. I am National Vice President of the CIO.

Q. How many Vice Presidents are there of the CIO?

A. Six.

(Testimony of Joseph Curran.)

Q. Do you hold any special office with respect to Maritime work in the CIO?

A. I am Chairman of the National CIO-Maritime Committee.

Q. Mr. Curran, do you know a man named William C. McCuistion? A. Yes.

Q. How long have you known him?

A. I have known him since the spring of 1936.

Q. Have you known him as a member of the National Maritime Union?

A. Yes. He was a member of the National Maritime Union.

Q. Do you know what the reputation of Mr. McCuistion is [5083] for truth and honesty among the men with whom McCuistion has worked and associated?

Presiding Inspector: Truth and veracity.

Mr. Gladstein: Truth and veracity; yes.

A. His reputation—

Presiding Inspector: First, do you know it?

A. I do.

By Mr. Gladstein:

Q. Will you state whether that reputation for truth and veracity is good or bad?

A. Very bad.

Q. Will you state whether you would believe Mr. McCuistion under oath? A. I would not.

Q. Mr. Curran, I want to call your attention to the year 1936, and particularly the fall of that year, and I want to refer to a strike which was taking

(Testimony of Joseph Curran.)

place on the east coast of seamen. Were you involved in that strike? A. I was.

Q. Did you hold any special position in connection with the conduct of that strike?

A. I was the Chairman of the Joint Strike Committee.

Q. And where were the headquarters of the Joint Strike Committee?

A. At 164 Eleventh Avenue, New York City.

Q. What personnel or classifications of work were [5084] represented by the people who composed the Joint Strike Committee?

A. The sailors, firemen, oilers, marine cooks and stewards, engineers, and a portion of the deck officers and radio operators.

Q. Do you recall the date, the approximate date, when you became the Chairman of that Strike Committee?

A. I believe it was on the 2nd or 3rd of November, at a mass meeting where the Strike Committee was elected.

Q. In the year 1936? A. Yes.

Q. Was there also a Committee known as the Seamen's Defense Committee?

A. There was. It was resolved at that meeting which elected a Strike Committee for the purpose of conducting the strike.

Q. What was the Defense Committee?

A. The Defense Committee was a Committee established after the Spring strike which took place in March of 1936 and ended in May of 1936. When

(Testimony of Joseph Curran.)

the men returned to the ships they elected, before they returned to the ships, a Committee of nine, whose job it was to stay ashore and to carry on the fight for Democracy within the union that we were then members of.

Q. What union was that?

A. ISU, an A.F. of L. union.

Q. What is the full name of the ISU? [5085]

A. International Seamen's Union of America.

Q. Can you state who the nine persons were who were on the Defense Committee?

A. As nearly as I can recollect the nine persons elected on the Seamen's Defense Committee were myself, as Chairman; Ralph Emerson, as Secretary; Albert Rothbart, Harry Alexander—I am not so clear on the others.

Q. Now, how long did that Defense Committee function?

A. It functioned from May until November the 2nd, when a mass meeting was called for the purpose of electing a Strike Committee, and it was dissolved at that time. Its purpose was only to work ashore after the men had returned in the Spring strike. Its usefulness was no longer necessary and it was dissolved at that mass meeting.

Mr. Del Guercio: I move that all of the witness' answer be stricken and that he be instructed to just answer the question asked and not volunteer.

Presiding Inspector: We haven't been very strict about that in this hearing, and if the answer

(Testimony of Joseph Curran.)

is substantially responsible, even though it wanders somewhat from the direct question, we have allowed it and I will proceed in that way, so I won't strike it.

By Mr. Gladstein:

Q. Now, Mr. Curran, when the Strike Committee was formed on November 2, 1936 what, in general, was the purpose of the [5086] strike of the seamen on the east coast?

Mr. Del Guercio: I object to that. The reason for the strike on the east coast is not an issue here.

Presiding Inspector: I think this must be preliminary. In and of itself, of course, I would say it is immaterial, but it is coming to something and I will let it stand for that reason—I will let the question be answered.

The Witness: What is the question?

Mr. Gladstein: Read the question, please.

(The question referred to was read by the reporter as above recorded.)

A. The purpose of the strike in itself was to support the West Coast Maritime Unions that were going out on strike at that time.

By Mr. Gladstein:

Q. Would it be correct to define the strike of the east Coast seamen as a sympathetic strike in support of the West Coast Maritime Unions?

Mr. Del Guercio: I will object to the question as being suggestive and leading. The witness has

(Testimony of Joseph Curran.)

already answered the question and has given the reason for the east coast strike.

Presiding Inspector: I think it is the same as what he just asked, but characterizes it in a popular way. I will take it.

A. The strike was definitely a sympathetic strike at its [5087] beginning.

By Mr. Gladstein:

Q. Now, in general who was laying down the policy for the conduct of the strike on the east coast—was that the Strike Committee?

A. The Joint Strike Committee on the east coast was laying down the policy for the carrying on of the strike and was working very closely with the Joint Strike Committee on the Pacific Coast.

Q. Were matters of policy for certain, or any of the aspects of the east coast strike, ever laid down by the west coast?

A. Not exactly laid down; no. Suggestions were made by both strike Committees back and forth, and were acted upon mostly in concert together.

Q. Now, during that strike were you at all times the Chairman of the Strike Committee?

A. I was.

Q. Did you have occasion in that capacity to communicate with Harry Bridges? A. I did.

Q. Can you state in a general way what the occasion was for your being in contact with Bridges?

A. One of the purposes that I had been in contact with him was that before the strike I was on the Pacific Coast for a [5088] few days and we had

(Testimony of Joseph Curran.)

made arrangements at a policy meeting, composed of members of all the unions, that a joint program would be carried on, and that we would work very closely together, and in the policy that was suggested there was one that we would hold mass meetings on both coasts in all ports for the purpose of clarifying the issues to the public and keeping the members clarified, and arrangements were being made to hold meetings on the east coast. One of the purposes of contact with Bridges was to inform him of the possibilities of those meetings and ask if the arrangements on the Pacific Coast would permit his attending some mass meetings on the east coast.

[5089]

Q. Now, with specific reference to a meeting that was held at Madison Square Garden on December 16, 1936, was a general program for such a meeting and similar meetings on the East Coast adopted prior to December, 1936?

A. Oh, yes. It was adopted, as near as I can recollect, in the latter part of October and in the early part of November.

Q. Of 1936? A. Of 1936, yes.

Q. Now, with specific reference to that particular meeting will you state whether you ever requested Bridges directly or through someone else to come to the East and attend as a speaker at that meeting? A. I did.

Q. Now, do you know when specifically you made such a request for the first time?

(Testimony of Joseph Curran.)

A. As near as I can recollect it was about the middle of November.

Q. And by what method was this request conveyed to Bridges?

A. At one time, the first time, I believe I called on the phone to San Pedro where the East Coast men were on strike and where there was an East Coast Strike Committee, an East Coast Strike Committee functioning with the West Coast men, because we had some East Coast ships there on strike. And I [5090] asked that the—at that time the Chairman of that strike committee to communicate with Harry Bridges and to ask him what his schedule was and then to inform him that we had arrangements made for several mass meetings, particularly a great one in New York, and asked if it were possible for him to attend it. That was the first time.

Q. Who was the person in San Pedro with whom you spoke? A. Peter Innes.

Q. What was his then position?

A. As near as I can recollect it was Chairman of the East Coast Seamen's Strike Committee, in San Pedro.

Q. How long had he held that position?

A. I believe from about November the second or third.

Q. What was his position before that?

A. His position before that was as a member of the Union who had left New York, sailed aboard

(Testimony of Joseph Curran.)

one of the President boats; upon arriving in San Francisco he communicated with the East——

Mr. Myron (Interposing): Is this his position before that?

Mr. Gladstein: As I understand it, he is explaining his position prior to the time that he became Chairman of the San Pedro Strike Committee.

Mr. Del Guercio: Then I think the witness should be instructed to confine his answer to the particular thing and not [5091] give a story.

Presiding Inspector: I think he is doing very well in that respect.

Go ahead.

By Mr. Gladstein:

Q. Will you continue, Mr. Curran?

A. He communicated with the East Coast and said that there were possibilities of getting advertising for our paper, and asked us——

Presiding Inspector (Interposing): Now I think you are wandering a little from the position.

The Witness: Well, that brings to me the position right now.

Presiding Inspector: Go right along.

A. (Continuing): We sent him credentials to get advertising as a representative of our paper, the Pilot. That was his position up to the time that he was elected Chairman of the Strike Committee.

By Mr. Gladstein:

Q. Did he prior to the time that he became the Chairman of the Strike Committee in San Pedro

(Testimony of Joseph Curran.)

ever have credentials signed by you as a representative of the East Coast Seamen's Defense Committee?

A. No, only of the Pilot; to get advertising for the [5092] Pilot.

Q. Now, I want come back now to the time that you spoke to Mr. Innes regarding Mr. Bridges for the purpose of having Mr. Bridges attend mass meetings in the East. Did you also communicate directly with Mr. Bridges in any form on that same subject matter? A. I did.

Q. And in that way did you do so?

A. I'm not too clear, but I believe I spoke to him by phone once and I believe I spoke to him by teletype at another time.

Q. And in what way did you do so? between the two of you?

A. I sent a telegram, yes.

Q. Now, Mr. Curran, at any time did you get from Harry Bridges or from anyone purporting to speak for him a flat refusal to come to the East Coast and attend the Madison Square Garden meeting? A. No.

Q. What was the problem, if any, that existed with respect to Bridges going to the East to attend this Madison Square Garden meeting?

Mr. Del Guercio: I will object to the form of the question.

Presiding Inspector: Yes. Why don't you ask what com- [5093] munication he did receive in that respect.

(Testimony of Joseph Curran.)

Mr. Gladstein: All right, I will withdraw it.

By Mr. Gladstein:

Q. What communications did you receive from Bridges in that respect as to Bridges coming out and speaking at that mass meeting?

A. The communications I received were along the line of trying to fit into the arrangements of mass meetings on the Pacific Coast, the time element, to also attend meetings on the East Coast. It was a question of arrangements.

Q. It was never a question of refusal, is that correct? A. No, no.

Q. Now, did Mr. Bridges eventually come East and address that meeting? A. He did.

Q. Do you remember how he came East?

A. He came by plane, United Air Lines.

Q. Did you meet him?

A. I met him at the airport, yes.

Q. Who were the people, to the best of your recollection, who met Mr. Bridges on that occasion?

A. Myself, and a driver of the car, Cunningham, and a driver of a coupe, Marciano. That was all.

Q. Was Mr. Innès there?

A. I can't recollect him being there, but I believe he [5094] was. I believe he was, yes.

Q. What happened after you met Mr. Bridges, you and the others?

A. We met Mr. Bridges and Mr. Meriweather, who was there with him.

(Testimony of Joseph Curran.)

Q. Do you know who Mr. Meriweather was?

A. Mr. Meriweather is an official of the MEBA on the Pacific Coast.

Q. What does the "MEBA" stand for?

A. Marine Engineers Beneficial Association. After we met them there were some photographers there that took pictures of them leaving the plane. They got in a Ford Sedan. We instructed the man with the Ford Coupe to take it back to the Union hall as we didn't need it, and we took them to the Victoria Hotel, where they registered.

Q. Now, at the time, or after the time that Bridges and Meriweather registered at the hotel did you and/or any of the others go up to Mr. Bridges' or Mr. Meriweather's room?

A. Yes. I and I believe—I am not too sure—that Cunningham went up to the room with him and stayed a few minutes and talked about the meetings that were arranged in Boston and Philadelphia and Baltimore, and then left him to get some rest.

Q. Now, at that time, Mr. Curran, was any meeting held [5095] in the room of Mr. Bridges or in the room of Mr. Meriweather at which Bridges, Roy Hudson, Tom Raye, Al Lannon, you and Peter Innes were present? A. No.

Q. Was Roy Hudson present at that time?

A. No.

Q. Was Tom Raye present? A. No.

Presiding Inspector: At what time?

Mr. Gladstein: In the room.

(Testimony of Joseph Curran.)

Presiding Inspector: Well, he says there was no such meeting. You can ask him, if you want to, if there was any meeting with any of those people there.

Mr. Gladstein: I beg your pardon.

Presiding Inspector: Was there a meeting with any of them? Of course, you have only really, strictly included all, a meeting with all of them.

Mr. Gladstein: Yes.

By Mr. Gladstein:

Q. I will ask you this: Was there a meeting in the room with Bridges and Meriweather between any of the people that I have mentioned?

Presiding Inspector: Except other than you and Mr. Bridges.

A. Well, there was that one meeting of a few minutes after we took them up to the room, which I have already pointed [5096] out. That was the only meeting. Attending that meeting were Cunningham, myself and Meriweather and Bridges. That was the only meeting.

Q. From the time that you got to the hotel with Bridges and Meriweather until the time that you left, Mr. Curran, did you see Roy Hudson?

A. No, I did not.

Q. Did you see Tom Rave?

A. No.

Q. Al Lannon?

A. No.

Q. Or Mervyn Rathborne?

A. No, I did not.

Q. At the time that you left Mr. Bridges' room,

(Testimony of Joseph Curran.)

Mr. Curran, can you state whether anybody was in that room outside of Bridges and Meriweather?

A. I can state that when I left the room there was no one else there but those two.

Q. Now, before you actually left Mr. Bridges' room had you settled upon the itinerary of Mr. Bridges with respect to the various speeches he was to make and the manner in which he was to get to those places?

A. Yes, we did.

Q. What was that discussion?

A. What was discussed?

Q. Yes. What was the discussion on that subject? [5097]

A. The discussion was—the main thing was, we had a limited amount of time between meetings and we were trying to figure the fastest way to get to those meetings so as to get them all in in the limited amount of time that we had. The meeting in Boston took place at night and we arranged to fly to Boston and have the Ford Sedan which brought us over from the airport be driven to Boston to bring us back from Boston after that meeting.

Q. Was there also an arrangement made for Bridges to speak elsewhere than Boston?

A. Yes. At Philadelphia the following day, and then at New York on the 16th and then from that meeting to Baltimore.

Q. Now, had this general idea of having Bridges speak not only in New York but in these other cities that you mentioned been communicated to

(Testimony of Joseph Curran.)

you prior to Bridges ever coming out to the East Coast?

A. We discussed it in the Strike Committee, if that's what you mean. It had been a daily discussion of how to arrange mass meetings in order to clarify the issues to the public.

Q. Well, do you recall whether you received by telegram or other method prior to the 14th of December word from the West Coast that Bridges was coming out and that arrangements should be made for mass meetings to be held or arranged for in [5098] cities in addition to New York.

A. Oh, yes. We received communications from Mervyn Rathborne, I believe, at that time.

Q. And then you say there were discussions in the East Coast Strike Committee on this point?

A. Every day.

Q. Were the preliminary arrangements for Bridges to speak in Boston, Baltimore and Philadelphia made before Bridges ever came to New York on the 14th of December?

A. Yes.

Presiding Inspector: You don't mean with Bridges?

Mr. Gladstein: No.

Presiding Inspector: Preliminary arrangements.

Mr. Gladstein: Well, all right. I will ask the witness.

By Mr. Gladstein:

Q. What were those arrangements, Mr. Curran?

(Testimony of Joseph Curran.)

Presiding Inspector: With whom was it?

Mr. Gladstein: All right.

By Mr. Gladstein:

Q. With whom?

A. Well, the arrangements were, first, with the Strike Committee where it was agreed upon that he should come, that we should request him coming. Then we took up the question of actually getting him there with the West Coast [5099] Strike Committee and with Mr. Bridges himself. And those arrangements were concluded before he came East.

Q. All right. But then after the arrangements were concluded that Mr. Bridges was to come East how did you go about arranging for the mass meetings to be held in Boston, Philadelphia and Baltimore?

A. We had the Local Strike Committee in Boston make the arrangements for renting the hall and for getting out the proper leaflets and publicity on that meeting. We had the same thing done in the City of Baltimore and in Philadelphia. Those Local Strike Committees carried that on. And in New York we set up a Committee headed by Jack Lawrenson, who was the Secretary, to go out and see what the possibilities were of borrowing money in order to rent Madison Square Garden.

Q. Did you go to Boston with Mr. Bridges?

A. I did.

Q. By plane?

A. Yes.

(Testimony of Joseph Curran.)

Q. Was that the first speech that he made?

A. It was.

Q. And where was it held?

A. It was held in an opera house on the—I'm not too sure, but I believe it is Tremont Street. I believe it's Tremont Street in Boston.

Q. Did you speak at that meeting? [5100]

A. I did.

Q. After the meeting was over do you know where Bridges went?

A. Yes. We went and got in a Ford Sedan. I recall it very clearly. It was bitter cold and one of the windows were broken in the sedan and we very nearly froze getting back to New York.

Q. What did you do after you returned to New York?

A. I don't know exactly what Mr. Bridges did when he got back to New York. I left him at the hotel to thaw out and I went on down to the room I had downtown to thaw out, too.

Q. Where did you then go with Bridges the next time that you saw him?

A. The next time Bridges went down to Philadelphia the following day.

Q. Did you accompany him?

A. No, I did not.

Q. You know that he was to speak there, is that correct?

A. Yes; at the meeting in Philadelphia.

Q. Did you see him on his return?

(Testimony of Joseph Curran.)

A. I saw him when he got back just a short time before the meeting in the Garden.

Q. That would be on the night of the 16th?

A. Yes.

Q. Were you present at the meeting at the Garden? [5101]

A. I was, and spoke there.

Q. You spoke there? A. Yes.

Q. Now, do you remember Bridges speaking there? A. I do.

Q. After the meeting was over—after the mass meeting was over do you recall what took place with respect to Bridges? A. I do.

Q. What took place?

A. After the meeting was over it was quite late. I believe it was around 12:30. The meeting had stretched. In Madison Square Garden there is a regular press room just abaft the platform and we went in the press room where the press wanted to meet with Bridges. In the meantime he was grabbed ahold of by a red headed fellow from Rhode Island by the name of Maynard who recognized him as an old shipmate and insisted that he talk to him.

Mr. Del Guercio: If your Honor please, I move that the witness be told to go to the—

Presiding Inspector (Interposing): Yes. I don't think we need to have these immaterial details.

Mr. Gladstein: Well, he is telling what took place.

(Testimony of Joseph Curran.)

Presiding Inspector: I know. Well, he talked with a man named Maynard. And then what?

[5102]

The Witness: Then we talked to the press.

By Mr. Gladstein:

Q. Who was in the press room when that was taking place?

A. Well, I should say about five or six or seven newspaper men and a couple of photographers.

Q. Who else?

A. Myself. I believe Innes was there. I believe that was all. I think we closed the door then in order to keep the red headed guy out.

Q. And Bridges?

A. And Bridges out? He was in.

Q. No. I say, Bridges was in the room.

A. Yes.

Q. Now, after the press conference what did Bridges do, if you know?

A. He came out the door and that red headed guy grabbed him and away they went.

Presiding Inspector: A second time?

The Witness: He got him and away they went.

By Mr. Gladstein:

Q. Now, Mr. Curran, at any time that evening was there a meeting in this ante-room or press room at which, or anywhere in the Madison Square Garden, Innes, you, Bridges, McCuistion and a man named David Leeds, Tom Raye, Al Lannon and [5103] possibly Roy Hudson were present?

(Testimony of Joseph Curran.)

A. No.

Q. State whether Roy Hudson was on the platform or in any part of the Garden as far as you know that evening.

A. As far as I know he wasn't on the platform, and I believe there were twenty thousand people in the Garden of all denominations and all faiths. I don't know whether he was in the Garden or not. If he had a ticket he could go in, I believe.

Q. What about Raye? Was he on the platform or in an ante-room with you or in the press room or any other kind of a room with you and Bridges that evening?

A. No.

Q. What about Al Lannon?

A. No.

Q. What about David Leeds?

A. I don't even know him. I wouldn't know him if I saw him.

Q. To your knowledge was Roy Hudson in Bridges' presence, in the presence of Harry Bridges at any time, as far as you know, from the time that Bridges came to New York on the 14th until the time that he left?

Presiding Inspector: That is a little doubtful. What do you mean by that? [5104]

Mr. Gladstein: Well, I mean immediate presence.

Presiding Inspector: Yes. Did he ever see him with Mr. Bridges?

Mr. Gladstein: That is right.

A. No, I did not.

(Testimony of Joseph Curran.)

By Mr. Gladstein:

Q. At any time on the evening of December 16th, Mr. Curran, were you present when William McCuistion, a man named David Leeds and Harry Bridges had some discussion about Bridges receiving reimbursement for his expenses in coming to the East? A. No, I was not. [5105]

Q. Will you state whether, in your presence, Bridges asked for or received any reimbursement for the expenses incurred in his coming to the east?

A. No; we were paying him as we went.

Q. Will you state whether, in your presence, Bridges received from a man named David Leeds, either \$400 or \$500 for which he signed and gave a receipt?

A. Not that I know of.

Q. Or any sum of money?

A. Not that I know of.

Q. How long have you known Peter Innes?

A. Since the spring of 1936.

Q. Have you known him since that time as a member of the National Maritime Union?

A. Up to a certain point.

Q. What point?

Mr. Del Guercio: Now, if your Honor please, I will object to any question along this line here. Up to what point? The witness has testified that he knew Innes from the spring of 1936, up to a certain point, and now counsel desires to bring out, and is asking the witness what that point is.

(Testimony of Joseph Curran.)

Mr. Gladstein: Right. What is wrong with that?

Presiding Inspector: I suppose if you know a person, and it is counsel's idea, you always known him, of course, in a certain sense, and in a certain sense that is true. What you [5106] mean is, did he have any communications with him, any transactions with him after a certain point, isn't that it?

Mr. Gladstein: Or association. The response of the witness indicates that he intended to say that he has known Innes, or associated with him, up to a certain date or point of time.

Presiding Inspector: I am going to allow what you want, but I am going to try to straighten out the question, or did try to, along the line that the objection indicated.

Mr. Gladstein: All right, your Honor.

Presiding Inspector: Of course, you are entitled to show when they ceased to have transactions with one another.

By Mr. Gladstein:

Q. When did your association with Innes, whatever it may have been, prior to that time, end, Mr. Curran?

A. Either in the winter of 1938 or in the spring of 1939.

Q. What enables you to fix that date?

Mr. Del Guercio: Now, your Honor, I will object to that as being immaterial as to what occurred.

Presiding Inspector: I think I will take it. This.

(Testimony of Joseph Curran.)

is a broad investigation and I will take it, very briefly.

By Mr. Gladstein:

Q. Will you answer the question?

A. In the spring of 1939, I am fairly sure it was, at that time Peter Innes was ordered suspended from the union. He was [5107] occupying the position of buying—

Presiding Inspector: We don't care anything about that, except that he was suspended.

A. (Continuing): He was suspended in the spring of 1939.

By Mr. Gladstein:

Q. Now, are you acquainted with the reputation that Peter Innes has for truth and veracity among the men with whom Innes has worked and associated with in and about the various branches of the NMU?

A. I am.

Q. Is that reputation for truth and veracity good or bad?

A. Very bad.

Q. Would you believe him under oath?

A. I would not.

Mr. Gladstein: I am checking my notes, your Honor.

By Mr. Gladstein:

Q. Mr. Curran, are you acquainted with the manner in which the Madison Square Garden was rented for the occasion of the mass meeting on December 16th?

A. Yes. The Joint Strike Committee instructed the Secretary of the Committee to take a couple of

(Testimony of Joseph Curran.)

members of the Committee and go out and try to raise the money by borrowing it with the understanding that it would be repaid if and when we were able to raise the money.

Q. Do you know what the efforts of those members of the [5108] Strike Committee were to obtain money?

A. Oh, yes; very definitely.

Mr. Del Guercio: Your Honor, I will object to that unless it is to show who arranged to rent Madison Square Garden. As to any unsuccessful attempt made by the Strike Committee, I don't think that is in issue in this case and should not be gone into.

Mr. Gladstein: I am not so sure about that. I think the witness is entitled to describe the efforts that the Strike Committee made, or its members made, to obtain that Garden.

Presiding Inspector: I don't see that it is very material.

Mr. Gladstein: I will tell you what the materiality is that is in my mind. The Government has introduced in evidence a lease made out to a man named David Leeds, who was acting as agent for the east coast strikers Committee. The Government has also introduced other leases, or contracts, made out to David Leeds in which Leeds was acting for the Communist Party. Now, the Government seeks to have you draw an inference, therefore, that the East Coast Strike Committee was under the domination of the Communist Party, and that the Madi-

(Testimony of Joseph Curran.)

son Square Garden meeting was arranged by the Communist Party, and that Harry Bridges spoke there under the auspices of the Communist Party.

We are seeking to show you that none of those contentions are true and in order to do that we must show you what the East [5109] Coast Strike Committee actually did by way of efforts to obtain the Garden and the money for it.

I think we are entitled to do that.

Mr. Del Guercio: The record speaks for itself, your Honor. Certainly this witness will not attempt, or counsel will not attempt to contradict what the record shows as to the rental of Madison Square Garden, by this witness.

Mr. Gladstein: The records don't say anything about the efforts of the Strike Committee to obtain the Garden, or what was done. That was a lease, as I understand it.

Mr. Del Guercio: They can produce the lease.

Presiding Inspector: This seems remote. Finally they got Mr. Leeds to sign this lease, or Mr. Leeds did sign it. Whether they got him to or not is another question.

Mr. Gladstein: I think we should be entitled to put in the facts, your Honor, because you see it is, as I say—

Presiding Inspector: Does he know anything about this?

Mr. Gladstein: I think I asked him if he knew what efforts were made to obtain the Garden and he said "Yes." My next question, if I haven't

(Testimony of Joseph Curran.)

asked the question I intended to, was to have him state of his own knowledge what the efforts were to obtain the Garden or money for the Garden meeting that night.

Presiding Inspector: You didn't make any of these attempts yourself?

The Witness: Yes, I did. [5110]

Presiding Inspector: You did?

The Witness: Yes.

Presiding Inspector: I will allow what he made, himself, first.

A. (Continuing): Well, we made the rounds in New York to the other trade unions and other people, the Republican Party on the West Side, and the Democratic Party there, and others, in an attempt to raise money to rent the hall, but we were unsuccessful. In the case of some we were even kicked out on the basis of the fact that we were classified as outlaw strikers.

Mr. Del Guercio: If your Honor please, in view of what the witness has testified to I move to strike it out. Apparently he is——

Presiding Inspector: I will strike out the statement that they were thrown out on the ground that they were outlaw strikers. I don't think that is material—merely that they were denied their application for money. That is all that is material.

By Mr. Gladstein:

Q: You may continue.

A. Then the Secretary of the Strike Committee, Jack Lawrenson, and some other members of the

(Testimony of Joseph Curran.)

Committee working with him, said that they had got possibilities of raising the money to rent the Garden on the basis that we would return the money.

[5111]

Q. Did they say from whom?

A. They did not.

Q. Go ahead.

A. And on that basis we were satisfied and went ahead with arrangements for the Garden.

Q. Did they mention whether it was from any private person or organization, whether it was from several people or organizations?

A. No, they did not.

Q. Now, at that meeting you say you spoke, is that right? A. Yes.

Q. What was in a general way—I don't want you to go into detail—what was in general the condition of the east coast strike with respect to finances during that period?

Mr. Del Guercio: Now, if your Honor please, I will object to that. While we would like to go into the east coast strike matter and show—

Presiding Inspector: I will let him show it.

Mr. Del Guercio (Continuing):—it was dominated by the Communist Party, we cannot make that as a basis for this hearing here. We are only trying Harry Bridges now as to whether he is a member of the Communist Party.

Presiding Inspector: That is the basis for their having to go out and get the money, trying to get subscriptions for that purpose.

(Testimony of Joseph Curran.)

Mr. Gladstein: That is right. [5112]

Presiding Inspector: I will take it. I believe he has already said they were hard up. He, as Chairman of the Strike Committee, said he didn't know from what source the money came. I will take it.

What was your financial condition?

The Witness: It was terrible.

Presiding Inspector: You were hard up?

The Witness: We took up collections in the street, got money in any way we could, aside from stealing it—we didn't steal any—and the men were sleeping in—

Mr. Del Guercio (Interposing): Just a minute. I don't know as anybody accused him yet of stealing money.

Presiding Inspector: That is just a joke.

The Witness: I didn't say anybody accused me of stealing money. I said "aside from stealing."

We raised money through collections, through speakers at meetings, and through shaking cans on the street, and various other means. We very rarely had enough to provide sleeping quarters for all the strikers. Some had to sleep on the floor in other places. None questioned the source of the collected money, and we took the money as long as it was spendable from anybody that gave it to us because it bought food and it provided places to sleep for a large group of striking seamen.

Mr. Del Guercio: I move that the witness' answer be stricken, if your Honor please.

(Testimony of Joseph Curran.)

Presiding Inspector: I think I will let it stand.

[5113]

Mr. Del Guercio: That is a vivid picture, but it has nothing to do with this hearing.

Mr. Gladstein: Is that part of the objection?

Presiding Inspector: This may have some basis, you know, some connection with that payment which the testimony shows, or attempts to show.

Mr. Del Guercio: We are not trying to paint a picture. We could paint it, probably paint it in drab colors. This witness here has painted it in vivid colors. We are not interested in that strike.

Presiding Inspector: I don't think it makes much difference.

Mr. Gladstein: It would be very unusual. Mr. Del Guercio usually paints everybody in red colors.

Mr. Del Guercio: I think we could paint this in red too.

Presiding Inspector: I am color blind. Go ahead.

By Mr. Gladstein:

Q. In your Strike Committee did you ever have occasion, prior to this Madison Square Garden meeting, to have any discussion with respect to whether or not a contribution or a donation from the Communist Party should be accepted?

A. Well, the minutes of the meetings at which we took up collections to support the strikers will show in several instances—one in particular, I believe, where a man rose to the [5114] floor and said,

(Testimony of Joseph Curran.)

"I have \$200 here from the Communist Party," and he had a roll of bills.

I asked the membership, "Should we accept it?"

And I almost got shot, because they were hungry.

They said, "Certainly we should accept it."

Mr. Del Guercio: "Almost got shot"—that is kind of hard to believe.

The Witness: It is a figure of speech. "They didn't have any guns.

Presiding Inspector: They said they would accept it, the contribution of \$200 from the Communist Party.

Mr. Del Guercio: You didn't get shot, I suppose?

The Witness: No, I didn't get shot.

By Mr. Gladstein:

Q. Was the money accepted because the membership needed it and ordered you to take it?

Mr. Myron: I object to that.

Presiding Inspector: It was accepted. He pictured their plight.

By Mr. Gladstein:

Q: Now, Mr. Curran, do you know whether, after Mr. Bridges returned west, after the Madison Square Garden meeting, whether the West Coast sent a donation or donations to the East Coast strikers?

Mr. Del Guercio: I will object to that if your Honor please, as being immaterial and irrelevant. [5115]

(Testimony of Joseph Curran.)

Presiding Inspector: Is that material?

Mr. Gladstein: This bears on the question of the so-called argument—you remember that Mr. Innes and Mr. McCuistion talked about Bridges demanding \$500 and I wish to show——

Mr. Del Guercio: (Interposing): That wasn't an argument; that was testimony.

Presiding Inspector: All right; go ahead.

Mr. Gladstein: I wish to show, in addition to the testimony that Mr. Curran has given, that no such incident occurred, and Mr. Bridges will testify on the same subject. I wish to show that, rather than having the east coast Strike Committee pay Mr. Bridges' expenses, the thing was the other way around; that the west coast contributed, donated to the east coast, because of the east coast's perilous condition.

Presiding Inspector: That was afterwards, wasn't it? They sent the money afterwards?

Mr. Gladstein: Even so, your Honor, the source of that money that was paid to Mr. Bridges may be of great importance. Counsel evidently thinks it is. But it was paid to the east coast by the west coast.

Presiding Inspector: I don't see that it is material.

Mr. Gladstein: It isn't that a repayment was made, but that the west coast actually contributed funds to the east coast, rather than—— [5116]

Presiding Inspector: This is a sympathetic

(Testimony of Joseph Curran.)

strike, was a sympathetic strike on the part of the east coast.

Mr. Gladstein: Right. It would not be unusual for the west coast to help supply funds to the east coast. That is true.

Presiding Inspector: I think that would be natural.

Mr. Gladstein: But it is rather against the natural thing for an incident to have occurred along the lines as described by some of the Government witnesses; that is—

Presiding Inspector: From your side of the case; yes. I suppose Mr. Del Guercio would argue it was highly the natural thing.

Mr. Gladstein: Of course he would.

Mr. Del Guercio: What the union did on the west coast and what the union was doing there has no bearing on what Bridges did himself. We are not—

Presiding Inspector: I think it isn't material. I wouldn't go into that.

Mr. Gladstein: I recall some testimony by Mr. McCuistion that he argued against giving Bridges this money because he, McCuistion, would have, or did have, I forget which he said, have a hard time explaining to the hungry men the following day why they didn't get some money out of the meeting and Bridges was getting this money; and I remember that Mr. McCuistion said that the Communist Party made \$400 or \$500 out of this thing. That is what he said. [5117]

(Testimony of Joseph Curran.)

Presiding Inspector: Yes, I think there was some such testimony.

Mr. Gladstein: I want to show the facts were quite different; that Mr. —

Presiding Inspector: This isn't the Communist Party here.

Mr. Gladstein: I understand, but I want to show that the facts are that Mr. Bridges was influential—of course, we can have Mr. Bridges' testimony direct on it, but as long as Mr. Curran is on the stand and is in a position to testify to his own knowledge, I want to show that Mr. Bridges, when he got back to the west coast, saw to it that money was contributed to the east coast, and, that from that you are entitled to draw inferences as to whether it is credible such an incident could have taken place as the kind described by Mr. McCuiston and, I think, also by Mr. Innes.

Mr. Del Guercio: If the Court please—

Presiding Inspector: Who was it that Mr. McCuiston said gave this money?

Mr. Gladstein: David Leeds, as I recall.

Presiding Inspector: He is not one of the Strike Committee. Aren't we getting into trouble here?

Mr. Del Guercio: It seems David Leeds is the person to call. He is still alive on the east coast in New York.

Presiding Inspector: I don't see that this has any materiality. [5118]

Mr. Gladstein: This money which was collected

(Testimony of Joseph Curran.)

at the meeting was collected for the benefit of the strikers.

Presiding Inspector: That doesn't appear one way or the other.

Mr. Gladstein: I think that has been testified to.

Presiding Inspector: In fact, it appears the other way, according to the testimony given by the Government.

Mr. Gladstein: I will ask the witness—

Presiding Inspector: Very well.

By Mr. Gladstein:

Q. I think you said a collection was taken up at the Madison Square Garden meeting on December 16, 1936?

A. That is right.

Q. Now, for whom, or whose benefit was that collection taken up?

Presiding Inspector: Who received it?

By Mr. Gladstein:

Q. Who received it?

A. Madison Square Garden received it. We didn't take up enough to clear the meeting.

Q. But for whose benefit did you intend to make a collection?

A. For the striking seamen.

Q. Was any of it to go to the Communist Party?

A. Not that I know of. [5119]

Q. Was any of it to go to Bridges?

A. Not that I know of.

Presiding Inspector: Did you know that the Garden had been paid in full?

(Testimony of Joseph Curran.)

The Witness: We knew it after the collection was taken up because it had to be paid back and that matter cleared up.

Presiding Inspector: Who was it paid back to?

The Witness: I understand it was paid to the Garden.

Presiding Inspector: But the Garden had already been paid.

The Witness: As I understand it, the Garden was guaranteed; that was my understanding of it, that it was guaranteed.

Presiding Inspector: You don't know about this personally?

The Witness: No, I don't.

By Mr. Gladstein:

Q. Now, Mr. Curran, do you know what the official position is of the Congress of Industrial Organizations with respect to the present Bridges deportation case?

Mr. Del Guercio: I will object to that.

Presiding Inspector: How is that material?

Mr. Grossman: May I state this, because it was in my argument that this question first came up: I don't recall which witness it was, but I definitely made the argument that the anti-labor and, in particular, the anti-CIO bias of a witness was material to this case, because by reason of the action of the CIO the Harry Bridges deportation case, and the [5120] deportation of Harry Bridges is identified in the mind of the public with the CIO and the labor movement. Therefore, if it is so identified,

(Testimony of Joseph Curran.)

and a witness has a bias against the CIO, that bias we may reasonably conclude, at least, will be transferred also to Harry Bridges. Now, we haven't proved that yet. I made that as an argument to justify going into the anti-CIO or anti-labor bias on the part of witnesses.

I don't recall quite what the ruling was, but my recollection is that your Honor permitted us to go into that.

What we were relying on at that time was merely my argument that such was the fact.

We intend now to go into this and prove that such was the fact; that is, to prove that not only the CIO has taken a position in support of this case, but the position has been such, and given such publicity that, in the mind of the public generally this case, or this deportation, is associated with a CIO and, therefore, a prejudice or bias on the part of the witness against the CIO or labor unions generally, you may reasonably conclude—you don't have to but you may reasonably conclude—would be transferred to a prejudice or bias against Harry Bridges, or in favor of his deportation. [5121]

Mr. Del Guercio: Well now, if the Court please—

Presiding Inspector (Interposing): Well, I think that is pretty remote, Mr. Grossman. Pretty remote.

Mr. Grossman: Your Honor, I don't see how it could be remote. If we assume that a witness has a bias against the CIO, if we assume that this

(Testimony of Joseph Curran.)

case is so tied up in the minds of the public because of the action of the CIO with the CIO, I don't think it is remote that a man would transfer in his mind a bias against the CIO to Harry Bridges. I don't mean "transfer" it, but apply it to Harry Bridges. I don't think that is at all remote. I think that is the way the human mind works. I think it is perfectly reasonable.

Now, I don't say that you will reach that conclusion or that you will draw that conclusion. All I say is that it is reasonable that you should, and we have the right to introduce evidence so that if you find a witness biased against the CIO you have a chance to conclude that that is also a bias in favor of Harry Bridges' deportation.

Presiding Inspector: Do you think that you can show that the Socialist Party has passed resolutions—I don't suggest anything has occurred—in favor of the work of the Bridges Defense Committee, or would you say that you can show that if it were the Presbyterian Church—

Mr. Grossman (Interposing): It depends on the extent.

Presiding Inspector (Continuing):—and then all the [5122] people who didn't belong to the Presbyterian Church would have a bias against Harry Bridges on that account?

Mr. Grossman: I say that this goes farther.

Presiding Inspector: I don't see it.

Mr. Grossman: We intend to show, your Honor, that the position of the CIO has been such that

(Testimony of Joseph Curran.)

at least the average man in the street, or at least the average trade unionist, or at least the average witness who has testified in this case, who is interested in this subject would reach the conclusion that the CIO and Harry Bridges and his deportation are integrally tied up, which is more than a mere support of it. I wouldn't say that action by the Socialist Party would be relevant, but if we can show, as we intend to do by this witness, that it is so tied up by reason of what was done and said by the CIO, then I say that that is relevant.

Mr. Del Guercio: If the Court please, if counsel is concerned with the public, I think we could remove—we have tried to throughout all this hearing—by giving a statement to the press that the Court made. We are not trying the CIO.

Presiding Inspector: No.

Mr. Del Guercio: We are not interested in the CIO in this hearing. We are trying one man, and that is Harry Bridges.

Presiding Inspector: You are not even trying him.

Mr. Del Guercio: We are trying to try him.

[5123]

Presiding Inspector: I mean to say, it isn't a trial.

Mr. Del Guercio: No. It isn't a trial. It is a hearing to establish certain facts.

Presiding Inspector: It is a civil hearing.

Mr. Del Guercio: And we are doing that. The Government hasn't at any time brought in the

(Testimony of Joseph Curran.)

name "CIO" for the sake of the CIO. We are not concerned with it. We are not concerned with the American Federation of Labor. Harry Bridges isn't the CIO. We are not trying Harry Bridges as a CIO member. We are trying—I say, I use the word "trying"—this is a fact-finding body. We are trying to determine if Harry Bridges is not a member of the CIO but a member of the Communist Party, an admitted member of the IWW, an affiliate of the Marine Workers Industrial Union, and nothing else. We haven't at any time tried any trade union, CIO or anyone else. We haven't brought that name in.

Mr. Gladstein: If your Honor please, I think counsel's memory is not long enough to recall the first witness on the stand, who was not cross examined by us and, therefore, everything that he said must have been in response to direct questions put to him by Mr. Del Guercio. And one of the things that Mr. Gitlow said was that the CIO is a culmination of a deep-dyed plot—those are not his words—laid in the Kremlin in Moscow to develop industrial unionism in the United States. That is testimony in this case which was solicited by Mr. [5124] Del Guercio and which was given by his own witness, namely, that the CIO is a resulted plan and the culmination of plans of the Communists in Moscow, Russia.

Now, if that isn't an attack on the CIO, then I doubt whether Mr. Del Guercio understands what the five million members of the CIO are like. Of

(Testimony of Joseph Curran.)

course, they would resent that kind of testimony and do, and I think it is testimony which was intentionally put in as part of an attack on the CIO.

Now, I am entitled to that opinion.

Mr. Del Guercio: I don't want to grant counsel's—

Presiding Inspector (Interposing): Wait!.

Mr. Gladstein: Even though Mr. Del Guercio may disagree with me. There are other witnesses in this case who have attacked the CIO, your Honor, either directly or indirectly. You will recall the testimony of Mr. Schnering. He made an attack. I don't recall the exact words or even too much of the substance, but he made an attack on the CIO. He said that the CIO was so Communist dominated that they wouldn't even let him work in his state since he had left the Communist Party. And I think there is testimony by Mr. Laurence which is directly against the CIO. And what about Mr. Kelley. Mr. Kelley made a pretty good attack of his own on the CIO, and when we attempted to show by cross examination that he had attempted to get some unfair advantages of an em- [5125] ployer, you recall that he made an attack on the CIO.

Now, I don't have it at hand at this moment, but there have been three, four, five or six witnesses that the Government has produced who have attacked the CIO.

Presiding Inspector: I think Mr. Kelley introduced some gratuitously at the end of his testimony.

(Testimony of Joseph Curran.)

Mr. Gladstein: Yes, he did. And that isn't all. I think Mr. Chase also. Oh, yes. Mr. Chase said that the whole International Furniture Workers and maybe some others—I am not sure about this—were all Communist controlled and Communist dominated, and that he, Mr. Chase, has now devoted his life to making up for the period when he erred so by being a member not only of the Communist Party but of the group which was pro-CIO and for industrial unions.

Presiding Inspector: What do you want to show here?

Mr. Gladstein: We want to show what the CIO position officially is on the Bridges case.

Mr. Del Guercio: That would certainly be remote, irrelevant and immaterial. The CIO isn't trying Harry Bridges. What their stand is on the Harry Bridges deportation case is unimportant. We might call other groups.

Presiding Inspector: Let me get the point directly. You want to show they are indifferent to the Bridges case?

Mr. Gladstein: On the contrary, we want to show that they are very much concerned about the present attempt to [5126] deport Harry Bridges; that they feel that it reflects a general anti-labor movement in the United States and that it is a symbol —

Presiding Inspector (Interposing): We can't go into that. That would be criticising —

Mr. Del Guercio (Interposing): The Government.

(Testimony of Joseph Curran.)

Presiding Inspector (Continuing): —the Government of the United States and the Congress of the United States.

Mr. Gladstein: It is pertinent, it is material on the proposition that since witnesses for the Government have attacked the CIO, this bias of theirs against the CIO is one which, as Mr. Grossman has pointed out, is the kind that can be applied against Harry Bridges.

Presiding Inspector: And then you want to have the other side draw the implication that all the people who are in any way connected with CIO are biased in favor of Mr. Bridges?

Mr. Gladstein: If the Government wants to claim that, that's perfectly all right.

Presiding Inspector: I am just asking you. Doesn't that very statement show the remoteness of this sort of thing?

Mr. Gladstein: I don't think so, your Honor. I don't think it is remote in any sense of the term.

Presiding Inspector: It seems to me very remote on the first blush. [5127]

Mr. Gladstein: I don't see it, your Honor. Of course, if the Government will stipulate that the membership and leadership of the CIO are biased in favor of Harry Bridges in this case; if that's what they would claim, if that's the inference that they would draw, and that they are biased in favor of Harry Bridges and are supporting him in an effort to defeat the attempt to deport him, we will

(Testimony of Joseph Curran.)

take the situation, if that is the inference that they want to draw, instead of offering the proof.

Presiding Inspector: No. I think they would immediately draw the inference that all your witnesses were absolutely biased against the Government's case.

Mr. Gladstein: Let them argue that inference. We couldn't stop them from arguing that inference anyway.

Presiding Inspector: No.

Mr. Del Guercio: We are not concerned, your Honor. Our position has been that what the position of the CIO is—we are not trying the CIO. There hasn't been any attack on the CIO.

Presiding Inspector: Was this testimony offered before Dean Landis?

Mr. Gladstein: No. There wasn't any occasion for it.

Mr. Grossman: Your Honor, may I say this? There wasn't occasion because the question of the relevancy of anti-labor [5128] bias was never raised. It has been raised in this case. The question of whether—

Mr. Del Guercio (Interposing): Raised by whom?

Mr. Grossman: I would like to state this. We recognize that in an ordinary Court or any hearing you can consider and you may conclude that the witnesses that have testified for Harry Bridges because of their membership in a union are biased in his favor. That doesn't mean that you disbelieve

(Testimony of Joseph Curran.)

them. As a matter of fact, the fact that we establish a bias——

Presiding Inspector (Interposing): It is a pretty weak bias, I think.

Mr. Grossman: Well, all right. But the point is, it is a bias.

Presiding Inspector: Everyone who is called on one side or the other is presumed to be biased to some extent. That's the reason you don't allow leading questions favorable to the side, in favor of the side on which they are called. That is an elementary proposition of law.

Mr. Grossman: But, your Honor, you will still admit that regardless of how much weight you are going to give a bias that nevertheless that bias is relevant, and we do admit that any CIO sentiment that our witnesses have, pro-CIO sentiment, could be considered by you as some evidence of their bias in favor of Harry Bridges, obviously, because that is the reverse of what we are trying to establish. But as [5129] Mr. Gladstein pointed out, we couldn't even argue against your taking that into account and giving it some weight.

Presiding Inspector: Now, you merely want to show that the CIO has adopted resolutions.

Mr. Grossman: Has taken a public position.

Presiding Inspector: And made contributions in favor of the Bridges Defense?

Mr. Grossman: What generally they have done, yes.

(Testimony of Joseph Curran.)

Presiding Inspector: I will take it to that very limited extent.

Mr. Del Guercio: Well, if your Honor please,—

Presiding Inspector (Interposing): Yes, over your objection.

Mr. Del Guercio (Continuing): —I object strenuously to this also because we are injecting another issue in this case.

Presiding Inspector: I think it cuts both ways, Mr. Del Guercio.

Mr. Del Guercio: Even though it were favorable to the Government, your Honor, I object to it, because I don't think this is the proper hearing to go into what the CIO—resolutions that they may have adopted or what they adopted. We are trying an individual here not because of his membership in the CIO.

Presiding Inspector: I think this is very remote, but I [5130] will take it that far, as to whether they passed resolutions officially and whether they made contributions.

By Mr. Gladstein:

Q. Will you answer that question, Mr. Curran?

Presiding Inspector: I think it cuts both ways.

By Mr. Gladstein:

Q. As to the official position of the CIO on the deportation case.

Mr. Del Guercio: I will object to the question.

Presiding Inspector: Yes, I will take it.

A. The official position of the National CIO on the present second trial of Harry Bridges is to the

(Testimony of Joseph Curran.)

effect that it is a flank attack on the labor movement and they have voted in all of the Internationals of CIO and in the National CIO to give it full support.

By Mr. Gladstein:

Q. To give what full support?

A. The Harry Bridges Defense, give it full support financially, morally in order to defeat the flank attack on the labor movement.

Q. As an official—

Mr. Del Guercio (Interposing): I didn't hear that. "Financially and morally"?

The Witness: Financially and morally. [5131]

Presiding Inspector: "In order to defeat a flank attack on the labor movement", he says.

By Mr. Gladstein:

Q. Has the CIO set up an official committee, National Committee? A. It has.

Q. To assist in the defense?

A. It has. It consists of Sherman Dabrymple, President of the United Rubber Workers of America, and David McDonald, Executive Secretary of the Steel Workers Organizing Committee.

Q. And do you know whether President Philip Murray of the CIO has issued an official statement on the case?

Mr. Del Guercio: I will object to the leading question, if your Honor please.

Mr. Gladstein: I haven't finished it:

Presiding Inspector: I will exclude it.

(Testimony of Joseph Curran.)

By Mr. Gladstein:

Q. Do you know whether President Philip Murray has done or said anything by way of or in connection with the Bridges case?

Presiding Inspector: I will exclude it.

Mr. Del Guercio: I will object to that.

Presiding Inspector: He has given the official position. [5132] Whether the President has supported the official decision or not is entirely immaterial. We have got the official position.

Mr. Gladstein: I will just ask this question.

Presiding Inspector: Yes.

By Mr. Gladstein:

Q. The National Committee, consisting of Mr. Dalrymple, Mr. McDonald, do you know how that Committee came into existence?

A. It came into existence—

Mr. Del Guercio (Interposing): I will object to that, if your Honor please.

Presiding Inspector: Yes. I will take it. That is how it was appointed?

Mr. Gladstein: That is right, your Honor.

Presiding Inspector: How it was appointed and whether it was appointed pursuant to a vote of the organization?

Mr. Gladstein: Whichever way it came into existence.

Presiding Inspector: What is that?

Mr. Gladstein: Whichever way it came into existence.

(Testimony of Joseph Curran.)

Presiding Inspector: Whatever way it came about.

By Mr. Gladstein:

Q. How did the Committee come into existence?

A. It was appointed at a meeting of the Vice-Presidents and Executive Officers of the CIO. Philip Murray made the appointment with the approval of the Executive Officers of CIO and issued a statement over his signature. [5133]

Presiding Inspector: We don't care about the statement.

Mr. Gladstein: I don't know whether the record—

Presiding Inspector (Interposing): We have got the official attitude.

Mr. Gladstein: I don't know whether the record shows this, your Honor; but I think it should.

By Mr. Gladstein:

Q. That is, what is the official position of Mr. Philip Murray of the CIO.

Presiding Inspector: That has been shown.

A. The official position of Mr. Philip Murray, President of the CIO, is that this— [5134]

By Mr. Gladstein:

Q. (Interposing) What is his position in the CIO?

A. He is President of the Congress of Industrial Organizations.

Mr. Gladstein: That is all I want. Thank you.

(Testimony of Joseph Curran.)

Cross Examination

By Mr. Del Guercio:

Q. Is the Congress of Industrial Organizations interested in knowing whether or not Harry Bridges is a member of the Communist Party?

A. I suppose it probably is.

Q. And if it were found by a fact finding body that he was a member of the Communist Party, and still is, what would the attitude of the CIO be toward Harry Bridges?

A. You are asking me a hypothetical question that I can't answer.

Q. That is a hypothetical question, and you refuse to answer?

A. I don't refuse to answer. I am not in a position to say what the Congress would do. It is composed of five million members.

Q. Do you know of your own knowledge whether Harry Bridges is a member of the Communist Party?

A. I do not.

Q. Do you know if this Committee that you have spoken [5135] about, of the CIO, knows whether Harry Bridges is a member of the Communist Party?

A. I do not.

Q. Has it investigated to determine whether Harry Bridges is a member of the Communist Party?

A. It has not.

Q. Is it interested—I will ask you again—in knowing whether Harry Bridges is a member of the Communist Party?

(Testimony of Joseph Curran.)

Mr. Gladstein: That has been asked and answered.

A. I am not in a position to say.

Presiding Inspector: He said that before and he keeps saying it.

Mr. Del Guercio: Do you want to take the noon recess?

Presiding Inspector: Yes; until two o'clock.

(Whereupon, at 12:00 o'clock noon a recess was taken until 2:00 o'clock p.m. of the same day.) [5136]

After Recess—2:00 o'clock p.m.

Presiding Inspector: You may proceed, Mr. Del Guercio.

JOSEPH CURRAN

called as a witness on behalf of the Alien, having been previously duly sworn, testified further as follows:

Cross Examination (Resumed)

By Mr. Del Guercio:

Q. I believe you testified that you were one of the five or six Vice Presidents of the National Maritime Union, is that correct?

A. No, I did not.

Q. What was your testimony?

A. My testimony was that I was one of the National Vice-Presidents of the CIO.

Q. And there are how many Vice Presidents?

A. Six.

(Testimony of Joseph Curran.)

Q. And you say that there are about approximately 55,000 members?

A. In the National Maritime Union.

Q. Has the question of the deportation proceedings against Harry Bridges been submitted to every one of those 55,000 members?

A. It has been submitted to the membership of the National Maritime Union. [5137]

Q. Merely submitted to the officers of that Union, is that correct?

A. That is not true.

Q. How long have you been a member—when did you first join any union?

A. I was a member of the Sailors Union of the Pacific in 1926.

Q. And for how long a period?

A. Approximately three months.

Q. Then what happened?

A. My membership lapsed, based on the fact at that time it was a crime to be a member of a union you were blacklisted on any ship, and the patrolman never came aboard to collect your dues—

Q. (Interposing): Did I ask you about that?

A. No, you didn't.

Mr. Gladstein: I think it is responsive.

By Mr. Del Guercio:

Q. You are volunteering that?

Presiding Inspector: I think that is remote. Wait until he asks the next question.

By Mr. Del Guercio:

Q. Where did you join the Sailors Union of the Pacific?

A. San Pedro, California. [5138]

(Testimony of Joseph Curran.)

Q. And what local was that?

A. It was the San Pedro branch. Harry Olsen was agent.

Q. Now, when did you next join a union?

A. I next joined a union aboard ship arriving in New York in about nineteen thirty—the early part of 1935. I am not too clear on that.

Q. You mean you weren't a member of any union from 1927 to 1935?

A. That's correct.

Q. What were you doing during that period?

A. Going to sea.

Q. As what?

A. As a sailor.

Q. Continuously?

A. Yes.

Q. And in 1935 what union did you join?

A. In the early part of 1935 I joined the MWIU in New York.

Q. And what is the MWIU?

A. The Marine Workers Industrial Union.

Q. And affiliated with what?

A. I don't know.

Q. You joined the Marine—

A. (Interposing): I was a member for about a month.

Q. You what?

A. I was a member for about a month. [5139]

Q. Just a month?

A. Uh huh (affirmative).

Q. Paid member?

A. A paid member.

Q. And who solicited, if anyone, your membership in the Marine Workers Industrial Union?

A. I don't recollect his name. A delegate came

(Testimony of Joseph Curran.)

aboard and was soliciting members and I joined aboard ship. I can't recollect his name.

Q. On what ship were you at that time?

A. That was on the Exmoore, the American Export Lines.

Q. And were you given a membership book?

A. I was.

Q. What became of that membership book?

A. I believe I lost it when a trunk was stolen from my house in 1938 along with other personal belongings.

Q. And you have had that membership book then from 1935 to 1938, is that right?

A. I didn't carry it that long. It was in a trunk.

Q. Well, you had it in your possession from 1935 to 1938?

A. In my trunk, yes.

Q. Did you read it?

A. I read parts of it, yes.

Mr. Del Guercio: May I have these exhibits here?

I won't hold it up any longer. We will go into something else and come back to that. [5140]

Presiding Inspector: Very well.

Mr. Del Guercio: Will you give me the answer to the last question, please?

(The question and answer referred to were read by the reporter as above recorded.)

By Mr. Del Guercio:

Q. Did you find out from reading this membership book in the Marine Workers Industrial Union as to what organization the Marine Workers Industrial Union was affiliated with?

(Testimony of Joseph Curran.)

A. No, I did not. I thought it was the Marine Workers Industrial Union, a union of seamen.

Q. And you didn't find out then, is that it?

A. No. I can't recollect what it was affiliated with.

Q. Why did you drop out of the Marine Workers Industrial Union, if you did drop out?

A. No, I didn't drop out. The NRA dropped the union out.

Q. The NRA dropped the union out?

A. That's correct.

Q. How do you know that the Marine Workers Industrial Union was a union?

A. I know that 14,000 members, all seamen, were in it, and I know that it was a union because it fought to better some of the rotten conditions that existed. I thought it was pretty good.

Q. Did you attend any meetings of the Marine Workers [5141] Industrial Union?

A. I didn't get the opportunity. I came in—

Q. (Interposing): How do you know that there were 14,000 members of the Marine Workers Industrial Union?

A. That's correct. I couldn't be too positive, but I ran into a great many of them on that ship, and they were listed and admitted during the hearings in Washington that there were 14,000 members.

Presiding Inspector: Well, you are giving your own testimony now.

The Witness: That is correct.

By Mr. Del Guercio:

Q. Then you don't know, do you?

(Testimony of Joseph Curran.)

A. I am not positive, no. I am not positive, no, that there were 14,000 members.

Q. I mean, you never did inquire as to how many?

A. I inquired of many people, yes.

Q. Of whom, for instance?

A. I inquired of—

Q. (Interposing): Of Roy Hudson?

A. Are you answering the question?

Q. Did you inquire of Roy Hudson?

A. I did not.

Q. Now, whom did you inquire of?

A. I inquired of several members of the crew on the Exmoore. [5142]

Q. And their names?

A. Who had been previous members of the—one man's name was Joiner, an A.B., and another A.B.'s name was Hayes Jones.

Q. Hayes Jones. And what did Jones tell you as to how many members there were in the Marine Workers Industrial Union?

A. He told me that there were 14,000 members.

Q. At that time? A. That time.

Q. And how many did Joiner say were in the Marine Workers Industrial Union?

A. He said about 14,000.

Q. Did you inquire of anyone else?

A. I don't recollect the names of all the seamen that were on that ship, but during discussions in the fore's'le collectively about eight men in there talked about the number of men in the MWIU, because I

(Testimony of Joseph Curran.)

know we made a point of the fact that it was growing pretty rapidly?

Q. Did Joiner occupy any official position in the Marine Workers Industrial Union?

A. No, he did not.

Q. Did Jones—I believe you said the name was?

A. Hayes Jones, no; he was an A.B. there, a member of the union, as far as I know.

Q. How long had they been members of the Marine Workers Industrial Union?

A. I couldn't say. They had been members for some time. [5143] That is all I know. Hayes Jones was the one that—Hayes Jones and Joiner both discussed the union with me, and on the basis of the discussions we had I thought it was a good union to join, and I joined it.

Q. And you say it was the NRA that knocked it out?

A. Correct.

Q. How did the NRA knock the Marine Industrial Workers Union out?

A. In this manner: During that period they had decided to have certain unions represent certain bodies of men—

Q. (Interposing): Who do you mean by "they"?

A. A committee composed of a couple of Admirals and—I can't think—one man's name was, I don't know whether his name was Harrison—

Q. (Interposing): How did they knock out the Marine Workers Industrial Union?

A. The ISU at that time had about 800 members

(Testimony of Joseph Curran.)

and it was rapidly sinking into oblivion. Their officers appeared before this Committee and made a plea that the International Seamen's Union be the union to be recognized for the purpose of handling the Seamen's proposition. The MWIU, as I understand it, objected on the basis of representing a great many more seamen.

Q. Were you there?

A. I was not there. I read very carefully many documents [5144] regarding that hearing.

Q. You read documents? A. I did; yes.

Q. Where did you get these documents?

A. Well, the Marine labor papers carried stories about it, various marine labor papers, and there were mimeographed bulletins on the progress of the hearing. It was of a great deal of interest to the seamen at that time.

Q. You are not testifying of your own knowledge, but you are testifying to what you say you read?

A. I am testifying of my own knowledge; yes. I am not trying to testify to something I don't know; I wouldn't do that.

Q. What?

A. I wouldn't testify to something I don't know.

Q. All right. Go ahead.

A. We followed it very closely because the ISU—

Q. (Interposing): Who do you mean, "We followed it very closely?"

A. The Seamen. I was an A.B. on a ship. Your

(Testimony of Joseph Curran.)

knowledge of a ship must tell you there is a crew on it.

Q. You said "We followed"—were you at that time following it with anybody in particular?

A. With the seamen on the ship, about 40 of them, I would say, 40 in a crew.

Q. You were on a ship during this time? [5145]

A. That is correct; yes.

Q. And you were getting daily bulletins of what was going on?

A. While the ship was in port these things came aboard.

Q. What ship were you on at that time?

A. At that time I was on the Excelsior, I believe.

Q. And between what ports was that plying?

A. Well, we went from New York, to Philadelphia, to Baltimore, to Norfolk, back to Philadelphia and New York.

Q. Coastwise all the time?

A. Yes; that is correct.

Q. Go on.

A. The Committee in Washington decided that the ISU would be the union to represent the Seamen. As a result the operators agreed with this Committee to cooperate and see that every Seaman on the ship joined the ISU. No Seaman could stay on a ship unless he took out an ISU book. If you didn't take out an ISU book you were discharged from the ship. So we had to take out an ISU book. The MWIU just disappeared, based on that.

(Testimony of Joseph Curran.)

Q. You didn't tell us just how the NRA knocked out the Marine Workers Industrial Union?

A. That is the way they knocked it out, by collaborating with the shipowners and the fakers in the ISU.

Q. The Marine Workers Industrial Union, so far as you know, [5146] was not dissolved because of any action taken by its own officials, is that what you are trying to testify to? A. Yes.

Mr. Gladstein: The question is ambiguous.

Presiding Inspector: That is all right. He is entitled to ask that.

Mr. Del Guercio: Was there an objection?

Mr. Gladstein: Yes; do you mind?

Presiding Inspector: We are having a lot of hearsay gleaned from reports of newspapers, and all that sort of thing, and Mr. Del Guercio, I think, is entitled to examine the witness on this.

Mr. Gladstein: I would like to hear the question read because I think it is ambiguous.

Presiding Inspector: Read the question.

(The question referred to was read by the reporter as above recorded.)

Mr. Gladstein: I think the form of the question is objectionable, but I haven't any objection to the question being answered.

By Mr. Del Guercio:

Q. Now, as a matter of fact, you knew, and you know now, that the Marine Workers Industrial Union was affiliated with the Trade Union Unity League?

(Testimony of Joseph Curran.)

A. I did not.

Q. You never found that out? [5147]

A. I have heard that it was so affiliated since; yes.

Q. Didn't you read about that in any of these documents that you testified you read?

A. No, I did not.

Q. And, as a matter of fact, you knew then, and you know now, that the Trade Union Unity League in turn was formed, created, controlled and dominated by the Red International of Labor Unions?

Mr. Gladstein: I object to that. It is a compound question.

Presiding Inspector: I don't think it is a question. The form you put it in is a statement.

By Mr. Del Guercio:

Q. Didn't you know then that the Trade Union Unity League was—you need not smile, Mr. Curran.

A. I can't help it, because you are laughing at me.

Q. No, I am not laughing at you. I feel sorry for you. A. All right.

Mr. Gladstein: I move that be stricken from the record.

Presiding Inspector: We will strike that comment out.

By Mr. Del Guercio:

Q. You knew at that time, did you not, that the Trade Union Unity League was controlled and

(Testimony of Joseph Curran.)

dominated by the Red International of Labor Unions? A. I did not.

Q. Do you know it now?

A. I have heard so. [5148]

Q. Where did you hear it?

Mr. Gladstein: I object to that as immaterial.

Presiding Inspector: I think it is immaterial, but it may lead to something. We haven't been very strict on this. I will take it.

A. I have heard it around the Dies Committee, I have heard it around here, I have heard it on the waterfront, I have heard it from shipowners and I have heard it from various places. [5149]

By Mr. Del Guercio:

Q. Do you believe it?

Mr. Gladstein: I object to that as immaterial.

Presiding Inspector: Immaterial.

By Mr. Del Guercio:

Q. Who was the head of the Local of the Marine Workers Industrial Union in which you belonged?

A. At that time?

Q. At that time, yes.

A. As I understood it, Roy Hudson was the Secretary.

Q. Did you meet Roy Hudson at that time?

A. No, I didn't meet him at that time.

Q. Had you known Roy Hudson prior to the time you joined the Marine Workers Industrial Union? A. No, I never heard of him.

Q. Did you have any conversations with Roy

(Testimony of Joseph Curran.)

Hudson about the time you joined the Marine Workers Industrial Union?

A. No, I joined aboard ship.

Q. And were you on board the ship all the time that you remained a member of the Marine Workers Industrial Union?

A. No. I was ashore. I went ashore, much like other seamen do.

Q. Now, can you give me the exact date you joined the Marine Workers Industrial Union?

[5,150]

A. No, I can't.

Q. The month?

A. No, I can't.

Q. The year?

A. I say it was early in 1935.

Q. Early in 1935?

A. I am almost sure of that.

Q. Well, you say you were on a ship. Can you fix the date by the ship that you were on?

Mr. Gladstein: He has already answered as to the ship that he was on.

A. I think that becomes a little more clear to me. I don't think it was 1935. I think, on the contrary, it was early in 1934.

By Mr. Del Guercio:

Q. 1934?

A. I think so. I think so.

Q. Now, are you sure about that?

A. No, I am not. I think so.

Q. You say now that it was either in the early part of '34 or the early part of 1935?

A. That is correct.

(Testimony of Joseph Curran.)

Presiding Inspector: His best recollection is that it was in 1934 now.

The Witness: That is my best recollection.

By Mr. Del Guercio: [5151]

Q. Well, were you working on the ship in 1934?

A. Sure! I worked on ships all year round '34.

Q. And are you sure about only remaining in the Marine Workers Industrial Union for only a month?

A. Well, I'm sure of that because I only paid a month's dues, and when, well, a few months later we made a two months' and fifteen-days' trip, I think, on the Excelsior and when I returned there just wasn't any more MWIU. You had to get into the ISU. So based on the fact that I only paid a month's dues I feel that that was all I was a member.

Q. You say that you were on the ship Excelsior after you joined? A. Yes.

Q. So far as you know, you were a member of the Marine Workers Industrial Union for two and one-half months?

A. Well, put it that way if you like.

Q. Is that your testimony?

A. I am basing it on the dues payment. I am not basing it on the amount of time that I was aboard that ship.

Q. Can you pay dues on the ship?

A. No. When I got back I couldn't pay any dues in it. The book was no good. I had to join the ISU to make another trip.

(Testimony of Joseph Curran.)

Q. Now, do you know when the 1934 Pacific Coast strike occurred? [5152]

A. Yes, I have some recollection of it. About May.

Q. When was that? About May?

A. Yes.

Q. With reference to the 1934 strike, May, when did you join the Marine Workers Industrial Union?

A. I don't know. I think it was about five or six months before then. About four months, I think. Right about in—

Q. (Interposing): Before the strike?

A. Oh, yes. It was before the strike.

Q. Huh?

A. It was about three—at least three months before that strike. You see, I am not clear on these dates about joining the MWIU.

Q. No, I realize that, that you wouldn't be very clear. Where were you during the 1934 strike?

A. Well, do you want me to answer shortly or do you want me to describe the trip?

Q. Whichever way—

A. (Interposing): I left New York, as near as I can recollect, on the first of May. We went twenty-three days to Capetown, Africa and spent seventeen days in Capetown. We then went to Derby, Elizabethtown, East London and then we returned over the same route arriving in New York June the 15th. I then took a position with the Grace Line shore gang [5153] in New York City

(Testimony of Joseph Curran.)

where I worked until August 22nd and then shipped aboard the Grace Line Santa Clara and stayed on her until December the 22nd of the same year, and coming off of there——

Presiding Inspector: (Interposing). You have gone away beyond.

The Witness: He didn't ask me the exact length.

By Mr. Del Guercio:

Q. Were you on the West Coast ashore?

A. Not unless I was——

Q. (Interposing): ——at any time during the 1934 Pacific Coast strike?

A. Not unless I was a dual personality.

Q. Not unless you were what?

A. I was in Africa. I couldn't be unless I was a dual personality.

Q. Do you have a dual personality?

Mr. Gladstein: I object to that.

A. No. The records in the Commissioner's office will verify the fact that I was on that African voyage.

Q. Was that on the SS Exmoore?

A. No. It was on the City of New York, American-South-African Line. If I was on the West Coast I would have been on the picket line.

Q. Then you didn't become a member of the Marine [5154] Workers Industrial Union while you were on the SS Exmoore, is that correct?

A. Yes, I did. Oh, yes.

Q. Was that before or after the 1934 strike?

A. That was before.

(Testimony of Joseph Curran.)

Q. Were you on the Exmoore after the 1934 strike?

A. No. After the '34 strike I was on the Santa Clara, August 22, 1934.

Q. You never shipped out on the Exmoore after the 1934 strike?

A. No. I believe I was on the Exmoore in January of 1934. I am not too clear on that.

Q. Now, did you join the Sailor's Union of the Pacific after you dropped out of the Marine Workers Industrial Union?

A. No. I joined the ISU. I joined the ISU.

Q. What is the ISU?

A. I was in New York.

Q. What is the ISU?

A. The International Seamen's Union of America.

Presiding Inspector: This Exmoore didn't take any of those Mediterranean route trips at that time, did it?

The Witness: Oh, yes, it did. It went through the Mediterranean.

Presiding Inspector: I thought you said it went up and down the coast. [5155]

The Witness: Well, you see, the method pursued is to load up on the Coast here first. That part of the trip we don't count. That is getting cargo for the trip across. You go to Baltimore, Philadelphia, probably Norfolk. This is known as a coastwise trip to load cargo for the voyage.

(Testimony of Joseph Curran.)

across. The actual voyage is constituted as going across.

Presiding Inspector: You go to some place in Palestine?

The Witness: No, we did not.

Presiding Inspector: They did at times.

The Witness: Well, they have different sections. The American Export Line has three distinct sections.

Presiding Inspector: Where did the Exmoore go when you were on it? Trieste?

The Witness: No, she didn't go to Trieste. She went to Genoa, she went to Naples, she went to Malay, she went to Constantinople and she went to the Black Sea to Constanza and Odeessa, Russia, and returned.

Presiding Inspector: How long were you on it?

The Witness: Two months and fifteen days for the voyage across. Now, counting the voyage on the Coast, that usually takes two weeks. So that would make it about three months on the ship.

Presiding Inspector: Three months.

Mr. Del Guereio: Are you through? Do you have any further questions? [5156]

Presiding Inspector: Yes, I have finished.

By Mr. Del Guereio:

Q. As a matter of fact, you know that the Marine Workers Industrial Union was not dissolved until 1935?

A. I am not aware that it was officially dissolved at all—officially. I don't know about that.

(Testimony of Joseph Curran.)

Q. Would you have been notified if it was?

A. I don't know. It's pretty hard to notify all the men on the seven seas.

Q. Well now, ~~your testimony is that you dropped~~ out from the Marine Workers Industrial Union because the NRA dropped it out or knocked it out?

A. I didn't say I dropped out. I didn't say I dropped out.

Q. Oh, you continued as a member even after that?

A. No, I didn't say that.

Q. Well, what did you say?

A. I said when I returned to New York on the Exmoore I was forced to take an ISU book.

Q. And did that automatically drop you out of the Marine Workers Industrial Union.

A. I imagine it would.

Q. Well, do you know?

A. Technically I'm not sure, but legally I think [5157] it does, I think—

Q. (Interposing): Let's explore your technical reasons first. What do you mean "technically" you are not sure?

Mr. Gladstein: Just a moment! I move that that be stricken.

Presiding Inspector: I will let it stand. He is giving the reason for asking the question.

A. I am not aware, you see, what the by-laws were as to dues payments.

By Mr. Del Guercio:

Q. By-laws of what?

A. In the MWIU. If the by-laws stated that if

(Testimony of Joseph Curran.)

you don't pay your dues for three months then you are out, then I was out.

Q. Did the by-laws provide that you would be notified?

A. I say I am not enough aware of the by-laws of the MWIU to know that.

Q. All right. Now, that is technically. Legally what?

A. Well, I suppose legally you couldn't say I was in that union when I was in the ISU, and a paid-up member in the ISU.

Q. Was there anything in the ISU that would forbid you from belonging to the Marine Workers Industrial Union? [5158]

A. Yes,

Q. What, may I ask you?

A. There was a clause in the by-laws that said any member belonging to a dual and hostile union would be tried, and so forth.

Q. Was the Marine Workers Industrial Union hostile?

A. I don't know.

Q. To the ISU?

A. I don't know whether it was or not. But I assume, on the basis of the fact that the ISU appeared in Washington wanting to be recognized as the only Seamen's Union against the MWIU, there must have been some hostility between the two.

Q. When did you join the ISU?

A. I'm not too clear on that. I think it was in May of 1935. I am not too sure of that.

Q. Well, so the action of the ISU would have

(Testimony of Joseph Curran.)

nothing to do with your being dropped out of the Marine Workers Industrial Union, would it?

A. Well, in trade union circles, sir, if I may—

Q. (Interposing): You may.

A. (Continuing): —when you leave one union and take a book in another, it's considered ethical to be a member of the one—

Q. (Interposing): Now, you dropped out, you say,—

A. (Continuing): —and not both at the same time. [5159]

Q. You dropped out of the Marine Workers Industrial Union in 1934?

A. I didn't say I dropped out.

Q. Or you discontinued paying your dues?

A. I didn't say I discontinued paying my dues.

Q. What did you say?

A. Because of the situation occurring in Washington, when a ship returned to New York in order to stay no that ship, or, as a matter of fact, on any other ship on the East Coast I had to take an ISU book out.

Q. When did this occur in Washington, in what year?

A. I am pretty sure it occurred in 1934 during the NRA days.

Q. After the Pacific Coast 1934 strike?

A. No. I would say it occurred—yes, I would say it occurred after the strike. I am pretty sure it occurred after the strike. I am not too clear on it.

Q. Now, you say you were the Chairman of the

(Testimony of Joseph Curran.)

Joint Strike Committee in this strike in New York or on the East Coast in 1936?

A. I was, yes.

Q. And how did you become Chairman of the Strike Committee?

A. On the day that the strike was called a mass meeting was held in New York in a place known as the Manhattan Plaza. It was attended by, I believe, around 1500 to 2000 [5160] seamen. And at that meeting—this is the first day—a Strike Committee was elected for the unlicensed personnel.

Q. Were you on that Committee?

A. I was elected as Chairman of that Strike Committee.

Q. Who proposed your name?

A. A member on the floor rose to his feet.

Q. Do you know his name?

A. No. We don't usually put the names down. The minutes show that a member rises to the floor, makes a motion, it is seconded and then put to a vote, and it is either carried, voted down or tabled or some such thing. That has been the custom and still is the custom in the rank and file.

Q. You were voted on this Strike Committee; then what happened?

A. I was elected as the Chairman. Then we proceeded to establish the—

Q. (Interposing): You were elected as Chairman by whom?

A. By that 2000 members.

Q. By the Committee?

A. No.

Q. By the membership?

A. No, by that membership at that meeting.

(Testimony of Joseph Curran.)

There was no Committee there to elect anybody. The Committee first had to be elected by the membership. [5161]

Q. And is that the only Strike Committee that existed throughout the strike?

A. No, that was the Strike Committee for New York. There were meetings held up and down the coast.

Q. Was that the Joint Strike Committee?

A. No, no. That was the Strike Committee of the unlicensed personnel. The Joint Strike Committee was brought together on the basis of the radio operators having a Strike Committee, the Masters, Mates & Pilots had a Strike Committee, the Marine Engineers had a Strike Committee, and on the basis of operating more closely together it was decided to establish a Joint Strike Committee with representatives of all these groups sitting in on the one Committee and it was then classified as the "Joint Strike Committee". [5162]

Q. How did you become Chairman?

A. That group, that group meeting elected me as Chairman of the Joint Strike Committee. I was already Chairman of the Unlicensed Personnel Strike Committee.

Q. How many persons were on the Joint Strike Committee?

A. I would say there were about 15.

Q. About 15? A. About 15; yes.

Q. And you say Peter Innes was one of them?

A. Peter Innes was one of what?

(Testimony of Joseph Curran.)

Q. Members of the Joint Strike Committee.

A. I did not say that.

Q. Of what Committee was he a member?

A. He was not there.

Q. Peter Innes?

A. He was on the Pacific Coast at that time.

Q. What Union did Peter Innes belong to at that time?

A. He belonged to the east coast rank and file seamen, ISU, naturally.

Q. Were they on strike also?

A. Well, you see when I speak of the ISU, we also were a part of the ISU.

Q. Did they have a strike committee?

A. The officials of the ISU were never on strike.

Q. Did they have a strike committee, the union to which [5163] Peter Innes belonged?

A. The union?

Q. Yes. A. Officially?

Q. Officially or otherwise?

A. Officially, the union officials were very busy running around with the shipowners getting seabs.

Q. Did I ask you that?

A. No. You asked me did they have a strike committee and I said "No."

Presiding Inspector: You shouldn't do that. Just answer the questions.

A. No, they didn't.

By Mr. Del Guercio:

Q. Well, what kind of a committee then was Peter Innes on?

(Testimony of Joseph Curran.)

A. Peter Innes—you see these things—

Q. (Interposing): Without going into "these things".

A. He was on a strike committee.

Q. He was on a strike committee? A. Yes.

Q. Was he elected to that committee?

A. He was elected.

Q. Did you have anything to do with that election? A. No.

Q. But you knew he was on it? [5164]

A. Yes.

Q. Who sent him to the west coast?

A. No one sent him to the west coast.

Q. Who paid for his expenses to come out here?

A. He shipped out.

Q. Was he given any instructions by anyone before he came out? A. No.

Q. Did you give him any instructions?

A. I did not.

Q. Did you tell him who to contact on the Pacific Coast? A. No.

Q. Did you give him a list of names?

A. I did not.

Q. You were pretty friendly with Peter Innes about that time? A. Yes, sir.

Q. You were a friend of his? A. Correct.

Q. He was a friend of yours?

A. I assume he was.

Q. Was his reputation for truth and veracity good at the time you knew him?

A. No; it wasn't too good.

(Testimony of Joseph Curran.)

Q. It wasn't good even then?

A. No. [5165]

Q. You communicated with him?

A. I did so on occasions.

Q. Do you know how many times you communicated with him?

A. No, I am not clear; I guess about 50 times. It is pretty hard to give the number exact.

Q. And did Peter Innes communicate at any time with you as Chairman of the Joint Strike Committee?

A. Oh, yes.

Q. Well, was it on matters regarding the east coast strike?

A. Well, no; it wasn't on matters affecting the east coast strike.

Q. On what matters did he communicate with you as Chairman of the Joint Strike Committee?

A. He communicated on matters affecting the group that was on strike in San Pedro, and on relative matters between the coasts on questions of policy and so forth.

Q. He was a member—I want to get this straight—of the ISU, the same as you were?

A. That is right.

Q. Were you an official of the ISU at that time?

A. No.

Q. Was Peter Innes?

A. No.

Q. Do you know how long Peter Innes remained on the west coast at that time?

A. I am not too clear on how long he remained there. He [5166] returned home once about De-

(Testimony of Joseph Curran.)

cember 10th, coming by train; and then he finally returned to the east coast, I believe, in February, in February of 1937.

Q. On December 10th, you say—

A. (Interposing): He came home once and went back.

Q. Did you see him on December 10, 1936?

A. No. He left San Pedro on the 10th.

Q. When did he arrive in New York?

A. I think he arrived about the 13th or 14th.

Q. He left by boat from San Pedro?

A. By train.

Q. By train. And did he appear before this Joint Strike Committee?

A. Yes.

Q. Does this Joint Strike Committee have any minutes?

A. It may have had, but the records were stolen.

Q. And did Mr. Innes report anything to this Joint Strike Committee regarding Harry Bridges' appearance as a speaker on the East Coast?

A. Well, I am not too sure, whether he did or not, because Harry Bridges arrived practically on the same day Innes did.

Q. About December 14th?

A. About December 14th.

Q. You say they arrived at the same time?

[5167]

A. About the same time; yes, sir.

Q. Would you say that you saw Innes before you saw Bridges?

(Testimony of Joseph Curran.)

A. I am not too sure. I went to the airport, I know, and I am not too sure which one I saw first.

Q. Now, who notified you that Bridges was coming out to the east coast?

A. Mervyn Rathborne, who was Secretary of District Council No. 2 of the Maritime Federation of the Pacific at that time.

Q. Did Harry Bridges advise you?

A. Well; he advised me by teletype that the way was clear, that meetings were such that he believed he could get in a few meetings on the east coast.

Q. Harry Bridges himself did that?

A. Yes; he notified me in that way, that arrangements looked like he could make it.

Q. When was that?

A. I believe that was around the 2nd, somewhere between the 29th of November; and about the 2nd of December.

Q. Do you have a copy of that teletype?

A. No, I haven't got it.

Q. What became of it?

A. Well, I imagine the same thing that became of the minutes, my book in the other union, and other things—those records were stolen. [5168]

Q. But you are sure—I think I heard you—you are sure that Harry Bridges signed the teletype?

A. Well, those teletypes don't have signatures on them, but it said "Bridges" on the bottom.

Q. You are sure—

A. (Interposing): We were talking about other things too.

(Testimony of Joseph Curran.)

Q. You are sure it said "Bridges"?

A. Yes.

Q. To whom was it addressed?

A. It was addressed to me in New York.

Q. To you, and not to the Joint Strike Committee?

A. Well, it was addressed to the Joint Strike Committee and then it asked at the top, "Is Curran there?" That is the way it was addressed.

Q. Did you have a teletype there at the headquarters of the Joint Strike Committee?

A. Yes.

Q. Where were the headquarters of the Joint Strike Committee at that time?

A. 164 Eleventh Avenue.

Q. What was the name of that hall?

A. That hall there had no name to it at all; it was just a three-story building. Upstairs was the ILA, Longshoremen's Union, and downstairs were a couple of restaurants, one restaurant [5169] and a tailor shop. The building itself had no name.

Q. Did the Joint Strike Committee occupy this entire building?

A. It occupied the second floor; that is, the first floor from the street.

Q. Where was the ILA with reference to them?

A. On the top floor.

Q. And the teletype machine was where?

A. It was on our floor.

Q. In whose name were those offices rented?

(Testimony of Joseph Curran.)

A. The offices there were rented in the name of the radio operators.

Q. Were you connected with the radio operators?

A. No. We couldn't get a hall, you see, so the radio operators, who were an officially recognized union, guaranteed the hall for us.

Q. I believe you said that you had some kind of a communication from Mervyn Rathborne?

A. Yes; I am pretty sure I did.

Q. When was that?

A. I think it was shortly after that, somewhere around December 4, 5, or 6, telling me—you see, I had addressed a communication to Rathborne some time before that, the latter part of November.

Q. The latter part of November. I want to get this in [5170] sequence. The latter part of November you addressed a communication to Mervyn Rathborne?

A. Yes.

Q. As what?

A. As the Secretary of the District Council No. 2 of the Maritime Federation of the Pacific.

Q. And you were communicating with him in what capacity?

A. Well, he was—

Q. (Interposing:) In what capacity were you communicating with Mervyn Rathborne at that time?

A. In my capacity?

Q. Yes.

A. As Chairman of the Joint Strike Committee in New York.

(Testimony of Joseph Curran.)

Q. Now, what did you say in that communication to Mervyn Rathborne?

A. I told him that it looked like it was going to be possible for us to get halls in Boston, in Baltimore, in Philadelphia, and it looked like we would be able to get the Garden, and for him to see that arrangements were made up and down the west coast to make it possible for Harry to come to the east coast on those specified dates. I think that was the substance of it.

Q. That was the substance of it. Mervyn Rathborne would have that teletype, wouldn't he?

A. I don't know.

Q. What? [5171]

A. I couldn't say. It is possible he has.

Q. It wasn't stolen?

A. I couldn't say. I don't know. I am not connected with the District Council.

Q. Why didn't you communicate with Bridges instead of Mervyn Rathborne?

A. Because all our communications for some months previous to that went through District Council No. 2, of which Mr. Rathborne was Secretary. Bridges was on the move up and down the coast all the time and we never could catch him. In order to get some action on the communications we used to send them to Mervyn Rathborne.

Q. Was Bridges on the District Council at that time?

A. I don't know. I know he was in the ILWU, or the ILA at that time, I guess it was, before it

(Testimony of Joseph Curran.)

went CIO; and he was very busy going up and down the coast. I think he was a member of the District Council No. 2, or a delegate to it. I think he was President of it. I am pretty sure he was President of District Council No. 2.

Q. You are sure now that he was President?

A. Yes.

Q. At the time you sent this communication to Mervyn Rathborne?

A. That is right.

Q. Did you ever communicate directly with Bridges as [5172] President of the District Council?

A. Many times.

Q. I mean in regard to his appearing on the east coast?

A. Yes.

Q. By teletype?

A. Well, I sent him a telegram.

Q. When did you send Bridges a telegram regarding his appearance on the east coast?

A. I don't—about the first week in December.

Q. That was after your communication to Mervyn Rathborne?

A. Yes; about the first ten days in December, one of those days.

Q. December 1936?

A. Yes.

Q. And what did you say in that telegram?

A. Oh, I asked him to let us know if he could come to a meeting in the Garden.

Q. You asked Harry Bridges if he could do what?

(Testimony of Joseph Curran.)

A. I asked him to let us know whether he could come to a meeting in Madison Square Garden.

Q. Now, do you know if Harry Bridges has that telegram?

A. I don't know.

Q. Has that been stolen?

A. I don't know. I wouldn't be in a position to say.

Q. Did you get a reply to that telegram from Mr. Bridges?

A. I don't believe I did. [5173]

Q. Well, will you refresh your recollection a little bit?

A. That is what I am trying to do.

Q. Now can you state, "Yes" or "No", whether you received a reply to the telegram to Mr. Bridges?

A. No, I don't believe I did.

Q. You said you met Harry Bridges at the airport in New York?

A. Yes.

Q. On December 14th, was that?

A. December 14th.

Q. And who was with you?

A. With me, there was a seaman by the name of Cunningham, who was driving a Ford sedan that I had there; and a coupe we had over there also was driven by the name named Marciano—M-a-r-c-i-a-n-o—and I am not too clear on whether Innes was with us or not. I am not too clear on that.

Q. What would clear it up?

(Testimony of Joseph Curran.)

A. Well, you see, a great many things have happened since then. It is almost impossible to have a clear-cut memory on such an incident as that.

Q. Well, Mr. Curran, we don't want you to—you seemed to recall the other incidents and I thought you might recall whether or not Peter Innes was there?

A. I believe he was there. [5174]

Q. Whose car was he in?

A. He was in the Ford Sedan with Cunningham and myself.

Q. In the same car with you? A. Yes.

Q. Why would Peter Innes be there?

A. Well, we had a habit of everybody piling in the cars all the time.

Q. There were only three persons in this car?

A. Yes.

Q. Just Peter Innes, yourself, and the driver. Why would Peter Innes be with you?

A. Mainly because he was on the Pacific Coast all the time.

Q. He wasn't on the Pacific Coast at that time. He was on the Atlantic Coast.

A. I say, the reason he probably was there was because he was on the Pacific Coast during all the period before.

Q. Did you ask him to come with you?

A. I believe I did. I may have asked him to come along.

Q. Was there any other member of that Joint Strike Committee there?

(Testimony of Joseph Curran.)

A. Neither one of these were members of the Joint Strike Committee.

Q. Was there any member of the Joint Strike Committee there? [5175]

A. Yes.

Q. Who? A. Myself.

Q. Any others? A. No.

Q. You said the driver of your car was who?

A. A man by the name of Cunningham, an able bodied seaman.

Q. Was he a member of the Strike Committee?

A. No. He was a rank and filer who was on the picket line and knew how to drive a car.

Q. Who got him to go along? A. I did.

Q. Was he sort of a bodyguard?

A. No.

Q. Who was in the second car?

A. A man by the name of Marciano.

Q. What was he doing there?

A. We brought him over there for fear the first car would break down. It was an awful "lizzie" and it had broken windows, and the tires weren't any too good.

Q. So you had two cars and you arranged for both cars?

A. Yes. The other was a brand new Ford coupe, a pretty good car.

Q. Was there anybody else, any other cars there? A. No. [5176]

Q. No other cars at the airport?

(Testimony of Joseph Curran.)

A. There were plenty of cars at the airport; plenty of them, all kinds of cars.

Q. Who was driving the third car?

A. There was no third car.

Q. You only had two? A. That is correct.

Q. Was it possible that there were more cars there and that perhaps you didn't know about them?

A. There were hundreds of cars at the airport.

Q. I mean coming there to see Bridges get off?

A. I wouldn't know about that. There were two cars that we brought over.

Q. Was Roy Hudson there in one of the other cars?

A. There was no other car with us.

Q. Was there any directly behind you?

A. There were hundreds of them around there, parked in a parking lot.

Q. Where did you leave from?

A. From New York.

Q. What part of New York?

A. From between 22nd and 23rd Streets on 11th Avenue, the location of the hall.

Q. How many cars started from there?

A. Two cars, the Ford coupe and the Ford sedan.

Q. Innes was with you? [5177]

A. Innes was in the sedan with me.

Q. Where did you sit in the car there?

A. On the front seat next to the driver.

Q. Where was Innes?

(Testimony of Joseph Curran.)

A. Probably in the back.

Q. How was Innes' reputation for truth and veracity at that time? A. Terrible.

Q. And you invited him along to go with you to meet your friend, Harry Bridges?

A. We did; I believe I did.

Q. He wasn't on the Joint Strike Committee?

A. No. He was Chairman of that Strike Committee in San Pedro that I told you about before.

Q. Now, Harry Bridges got off the airplane and into what car did he get?

A. He got into the Ford sedan.

Q. The one you were in?

A. The one with the broken windows.

Q. The one you were in? A. Yes.

Q. Did anyone else get into the car?

A. I did, and Mr. Meriweather got in.

Q. Did Innes get in the car too?

A. Yes, he got in the car. He muscled his way in everything. [5178]

Q. You say he muscled his way in. You just got through testifying you invited him to go along with you?

A. Yes; but I want to be clear what I mean by that. We had a Ford coupe with only one man in it, and we had a Ford sedan with four big men in it. And a fifth man in the Ford sedan would make it kind of crowded. I am pretty sure we asked Innes to ride in the coupe, but he muscled in the sedan.

Q. Is Innes a big man?

(Testimony of Joseph Curran.)

A. No; a little bitty fellow.

Q. He muscled his way in the car?

A. Yes. I don't mean that he forced his way in.

Q. No, I know—

Mr. Gladstein: (Interposing) Let the witness answer. I object to any interruption.

Presiding Inspector: I think he answered.

By Mr. Del Guercio:

Q. Who drove the car from the airport to the hotel? A. Cunningham.

Q. And you went directly to the—

A. (Interposing) Victoria Hotel.

Q. And you saw—did you all get out of the car and go into the hotel?

A. All except Cunningham, who had to park the car.

Q. And Innes got out too?

A. Yes. [5179]

Q. He went into the hotel with you?

A. Yes.

Q. And did Bridges register?

A. I am not too clear on how they registered. Mr. Meriweather was with him; whether they took a double room, I don't know, or whether they registered each by himself, or one registered for both—I am not too sure.

Q. You were with them?

A. I was in the lobby. I didn't walk right up to the desk with them and I didn't peer over their shoulders.

(Testimony of Joseph Curran.)

Q. Peter Innes was there? A.. Yes.

Q. He went into the lobby also?

A. Oh, yes.

Q. Now, did you then immediately go to Bridges' room?

A. Just as soon as the formalities were cleared away of registering, and the bell hop got the baggage, we proceeded up to their room.

Q. Who proceeded, how many?

A. Innes, myself, and Cunningham came in the door then, having parked the car, and he came up, Mr. Meriweather and Mr. Bridges.

Q. You cleared up in your mind now that Innes was there all the time haven't you?

A. No. I say I am fairly sure he was there; fairly sure. [5180]

Q. How long did you remain in that room?

A. I should say about half an hour to three-quarters of an hour; they were pretty tired.

Q. Where did Marciano go?

A. Mariano drove the coupe back to the union hall because we had no use for it.

Q. Did you see him drive it to the union hall?

A. I instructed him to.

Q. Where did you tell him that?

A. At the airport.

Q. You remained in the hotel room about half an hour?

A. Roughly about half an hour.

(Testimony of Joseph Curran.)

Q. Was Innes there all the time?

A. I should say he was. [5181]

Q. Did anybody come into the room at any time during that half hour?

A. Not that I know of.

Q. Well did Roy Hudson come into the room?

A. No.

Q. You know Roy Hudson? A. Yes.

Q. You know him if you see him?

A. Yes. He looks like Lord Halifax.

Q. What?

A. He looks like Lord Halifax. Very much so.

Q. Is that why they call him "The Bishop"?

A. Yes, I guess so.

Presiding Inspector: Call him the what?

Mr. Del Guercio: "The Bishop."

The Witness: Yes. They call him "horseface" and everything, from what I have seen.

By Mr. Del Guercio:

Q. You knew him as "The Bishop" too, don't you? A. No.

A. Was Al Lannon there?

A. No.

Q. Did he come in at any time?

A. No.

Q. Who did you leave with, if you did leave?
[5182] I suppose you did leave.

A. I must have left. Peter Innes and Cunningham.

Q. Cunningham was in the room too?

(Testimony of Joseph Curran.)

A. Sir?

Q. Was Cunningham in the room too?

A. Yes.

Q. He was just a driver.

A. He was a member of the Union, too; a man on strike. We didn't differentiate between a chauffeur and an official of the Strike Committee. We were all rank and file.

Q. I didn't mean that differentiation. I meant between a big shot and a little fellow.

A. That is your answer to it.

Q. Yes.

A. Not my answer.

Q. Did he participate in any of the conversation?

A. He did.

Q. And what was the conversation about?

A. The conversation was about arranging details to see that Bridges got to Boston on time for the meeting there and down to Philadelphia the following day and give him the itinerary as we had got the lials hired in Boston.

Q. Had anybody authorized you to make those arrangements?

A. Yes. The Strike Committee did. [5183]

Q. Now, would they be in the minutes of the Strike Committee?

A. The minutes of the Strike Committee meetings will show all that.

Q. That you were authorized as a Committee of one to make arrangements with Bridges.

(Testimony of Joseph Curran.)

A. The arrangements had been made before that.

Q. By whom?

A. The arrangements had been made by the Joint Strike Committee to obtain the halls in Boston and Philadelphia and Baltimore, and the Garden in New York.

Q. Well, had that been communicated to Bridges?

A. Yes. The only thing that had—

Q. (Interposing): In what manner had that been communicated to Bridges?

Mr. Gladstein: Just a moment! The witness started to say something in addition.

Presiding Inspector: Oh, well, he gave a full answer to it. He gave a full answer. He may have wanted to add something. I don't see that he could have added very much.

Mr. Gladstein: Do you want to add something to that?

The Witness: Yes, I did. I can't think of how the question ran now.

Presiding Inspector: Read the question.

(The question referred to was read by the reporter as follows. [5184])

“Q. Well, had that been communicated to Bridges?

“A. Yes, the only thing that had—”)

Mr. Gladstein: Then Mr. Del Guercio interrupted.

Presiding Inspector: That is the pending question.

(Testimony of Joseph Curran.)

The Reporter: No, your Honor. It was the prior question.

Presiding Inspector: Was that the prior question?

The Reporter: Yes, your Honor.

A. (Continuing): The only thing that hadn't been communicated to him—the thing that hadn't been communicated to him was the time for the meetings because we were trying to get the Garden, for example, for the 14th and the Garden was taken for the 14th, and we had to get it for the 16th and the Armory in Baltimore—we were still discussing that one until about the 12th. We hadn't got that one for sure. And the Boston meeting, the Strike Committee in Boston was still dickering about the hall up there. So those details were not communicated to him because we didn't have them. So we communicated them to him at the hotel when he arrived there.

By Mr. Del Guercio:

Q: And you were delegated to give those details to Harry Bridges?

A. As the Chairman of the Strike Committee I felt it was my duty to inform him of the arrangements made by the [5185] Strike Committee in New York.

Q. Well now, did you have—

A. (Interposing): That's my duty.

Q. As chairman of the Strike Committee did you have anything to do with making those arrangements for Bridges' itinerary?

(Testimony of Joseph Curran.)

A. Very much. I participated in the itinerary, yes, in communicating with Boston, Baltimore and Philadelphia informing the Strike Committees there as to how it was proceeding.

Q. Well now, how did you communicate to Harry Bridges that those plans and arrangements had been made, that is, that he was to speak at Boston, Philadelphia, Baltimore and New York?

A. Pardon me. When he arrived—pardon, me, you weren't finished?

Q. Yes.

A. When he arrived in New York and got off the plane and got up to the hotel, that's when I communicated the times to him. But—

Q. (Interposing): I mean, the arrangements excepting as to time?

A. Oh, that was done in communications to Mervyn Rathborne and to Bridges himself before then, that we had arrangements in these various ports for meetings. [5186]

Q. Now, you done that, you say? You did that by teletype?

A. I didn't finish the answer to that question.

Presiding Inspector: Go ahead and finish it. Go ahead and finish it. Do you want it read?

The Witness: No, I can remember it.

I said we had communicated with him that we had arrangements made for these meetings in the various ports and we asked him in the communications whether they fit in with the mass meetings that he was holding on the Pacific Coast. So he

(Testimony of Joseph Curran.)

had that detail long before, that we had these places available.

By Mr. Del Guercio:

Q. How long before, would you say?

A. Oh, I would say ten days before, anyway.

Q. At least? At least ten days?

A. I would say that.

Q. And did you communicate that to Harry Bridges and Mervyn Rathborne yourself?

A. Communicate what?

Q. The arrangements?

A. I communicated them either to Rathborne or Bridges—

Q. (Interposing): By—

A. (Continuing):—not the time, but just these arrangements.

Q. I understand. Not as to time but as to the meeting [5187] places?

A. Yes.

Q. By what method of communication?

A. I am not too sure. I think it was both by letter, teletype and I might have sent a telegram too.

Q. Would you say that you didn't advise him by telegram?

A. That I didn't.

Q. Yes.

A. No, I wouldn't say that. I might have.

Q. Did you advise him by letter?

A. What was that?

Q. Would you say that you didn't advise either

(Testimony of Joseph Curran.)

Mervyn Rathborne or Bridges by letter that arrangements had been already made?

A. I wouldn't say that neither.

Q. So your testimony is that at the time that Harry Bridges arrived there in New York he knew that he was to speak at Baltimore, Philadelphia, Boston and New York; is that right?

A. That's right.

Q. Now, you had charge of making all of the arrangements for the renting of the hall at New York, didn't you, as Chairman of this Strike Committee?

A. No. The Secretary of the Strike Committee does the work there. [5188]

Q. Well, don't you do any work? What was the Secretary's name?

A. I have worked all my life.

Q. You are not working now, are you?

A. No. You are working now.

Q. What's the Secretary's name?

A. The Secretary's name was Jack Lawrenson.

Q. Jack what?

A. Lawrenson.

Q. Now, did he do all of the work in connection with renting the Madison Square Garden?

A. Yes. He together with—I think that he had a couple of the members of the Strike Committee going the rounds with him, trying to raise the funds with which to rent the Garden.

Q. And did you as Chairman of the Strike Committee participate in any of those arrangements?

A. No. I was the Chairman of the Strike Com-

(Testimony of Joseph Curran.)

mittee, and when they returned after a day's mission searching for the money to rent the Garden, they would report whether it was good or bad news to me. That was the extent to which I participated.

Q. They would submit reports to you?

A. Oh, yes. And I would report to the general Strike Committee when it met as to whether they had any luck or not. [5189]

Q. You were required to do that?

A. No. We did it as a matter of practice. We held meetings every day.

Q. And when did they tell you that the Madison Square Garden had been rented?

A. I'm not too clear on the exact day, but I would say it was around the 12th.

Q. On December 12th. That is before Bridges' arrival?

A. Yes.

Q. The Madison Square Garden had been rented for December 16th?

A. No. He didn't say "had been rented."

Q. Yes.

A. He said "It looks like we will be able to get the Garden." At that time we thought we could get it for the 14th, see, and then we found out that we couldn't get it for the 14th. It was taken.

Q. From who did you find out that you couldn't get it for the 14th?

A. From Lawrenson, the Secretary.

Q. Did he tell you from whom he found out?

A. Yes. He found out from the Garden.

(Testimony of Joseph Curran.)

Q. He himself had made these arrangements with Garden?

A. No, no. He found out from the Garden that you [5190] couldn't get it for the 14th.

Q. Who was making the arrangements to get the Garden, Madison Square Garden?

A. Lawrenson.

Q. And two others on the Strike Committee, is that correct?

A. Not permanently. I say that Jack Lawrenson would take a couple from the Strike Committee to make the rounds with him. We didn't set it.

Q. Had he been directed to do that?

A. What?

Q. Had he been directed to do that?

A. That's right.

Q. By whom?

A. By the Strike Committee.

Q. Well, from the Strike Committee. All at one time or from you as Chairman?

A. No, the Strike Committee votes on a question and then after they vote on a question it becomes the duty of the Chairman to impart the substance of that motion to whoever is instructed to carry it out.

Q. And did you impart it to Lawrenson?

A. I did that, yes.

Q. What did you tell Lawrenson?

A. I told Lawrenson to "go out and see if you can get the Garden." [5191]

(Testimony of Joseph Curran.)

Q. You had in mind then getting the Garden?

A. No. I said the Garden would be the best place to hold the big meeting. "Go out and see if you can get it."

Q. Did you give him any other instructions?

A. Oh, yes. I told him to——

Q. (Interposing) Tell me all the instructions you gave Lawrenson with respect to the renting of the Madison Square Garden or trying to rent it.

A. I told Lawrenson that it costs a great deal of money to get the Garden, and, if it were possible to raise the money, the Garden would be the likely place to hold a big mass meeting. That was the extent of the instructions given to Lawrenson. I discussed no mechanical questions with him.

Q. No what kind of questions?

A. No mechanical questions how to go about raising the money.

Q. And was a Committee appointed to carry out your instructions?

A. No. The Secretary of the Strike Committee was instructed that it was the desire of the Strike Committee to obtain the Madison Square Garden and to go ahead and try to get it.

Q. Can anybody but Lawrenson act for the Strike Committee in renting the Madison Square Garden?

A. Yes, they could. But it was the natural practice [5192] for the Secretary of the Committee, who was the working Secretary, the Acting Secretary, to do that type of work, you see.

Q. Oh, was he Acting Secretary?

(Testimony of Joseph Curran.)

A. I say, "the Acting Secretary." I mean by that that he was the man who worked as a Secretary, and the Secretary naturally does that type of work.

Q. And he did that type of work under your direction as Chairman?

A.— Under the direction of the Strike Committee.

Q. And under your personal direction?

A. As the Chairman of the Strike Committee.

Q. As the Chairman of the Strike Committee?

A. Yes.

Q. Did he tell you when the hall was rented or arrangements had been completed for renting the Madison Square Garden?

A. Yes.

Q. When did he tell you?

A. That was about the 12th.

Q. Prior to Bridges' arrival?

A. Yes.

Q. Arrangements had been completed for renting the Madison Square Barden?

A. Yes.

Q. Did he tell you how he got the money to rent the [5193] Madison Square Garden?

A. No, he did not. He said that the Garden, as such, was going to be O. K. We could get it.

Q. And did you have any money at that time in the treasury to hire the Madison Square Garden?

A. We not only didn't have no treasury, but we had half of the strikers out on the streets shaking cans to get enough money to go to bed and eat on.

Q. But you were willing, however, to hire the Madison Square Garden?

A. If we could raise the money, yes. We felt that we could really clarify the issues to the public

(Testimony of Joseph Curran.)

and possibly collect a sum of money for the strikers.

Q. Did Lawrenson tell you how much it would cost to rent the Madison Square Garden?

A. I believe he said \$3,500.

Q. And you say that the striking seamen were starving to death at that time?

A. Yes, I said that.

Q. Do you know how much food \$3,500 could have bought?

Mr. Gladstein: I object to that, as immaterial.

Presiding Inspector: I don't think that is material.

Don't answer that. I have ruled that out.

By Mr. Del Guercio:

Q. Now, did Lawrenson say where the money came from that was used to rent the Madison Square Garden? [5194]

A. At that time?

Q. Yes.

A. You mean at that time? No, he did not and we didn't ask him.

Q. Wasn't the Strike Committee interested in knowing where that much money came from?

A. No, we were not. We wanted the Madison Square Garden.

Q. For Harry Bridges to speak in?

A. Not necessarily for Harry Bridges, no. No. 1: To clarify the issues to the public because we were being pressed from all sides at that time. And No. 2: To collect a sum of money to help the strike.

(Testimony of Joseph Curran.)

And No. 3: To let them hear Harry Bridges, who was one of the leaders of the strike on the Pacific Coast, yes.

Q. Did Lawrenson show you or did you ever see the lease for the renting of the Madison Square Garden on that occasion?

A. No, I did not.

Q. Do you know what arrangements had been completed or when the lease had been signed with the officials of the Madison Square Garden?

A. No, I don't know that. All I know is that Lawrenson reported to us that "The Garden is O. K."

Q. Who was to run this rally here at the Madison Square Garden? Under whose auspices was it?

[5195]

A. Under the Strike Committee.

Q. That is, under you?

A. Under the Strike Committee.

Q. And you as Chairman of the Strike Committee had charge?

A. I was a part of it, yes.

Q. Were any amounts set as to admissions, the cost of admissions?

A. I think it was two-bits.

Q. Twenty-five cents? A. I think so.

Q. Were any arrangements made for selling tickets? A. Oh, yes.

Q. Who made those arrangements?

A. The Strike Committee.

Q. And you as Chairman participated?

(Testimony of Joseph Curran.)

A. Yes.

Q. And who was to collect the funds received from the sale of these tickets?

A. The Secretary would account for them, I believe. That's the way that was arranged.

Q. Had arrangements been made?

A. We had a committee set up.

Q. All right. Now, who was this committee?

A. About a hundred. About a hundred on the committee, [5196] Master of Arms and everything.

Q. Were you on the committee?

A. I was Chairman of the Strike Committee.

Q. This was all under the Strike Committee?

A. I wasn't on that, no; not on that committee.

Q. Were admission tickets printed?

A. No, I believe they got those rolls of tickets, you know, at the box office. No tickets were sold outside. No ordinary tickets. You paid your admission when you went in and you had those rolls of ordinary theatre tickets that they passed out.

Q. Who arranged for the ushers in the meeting?

A. For what?

Q. Who arranged to have ushers?

A. We did; the Strike Committee.

Q. And did you participate in that?

A. As the Strike Committee?

Q. Yes. A. Yes.

Q. And where did you get your ushers from?

A. Right from the picket line.

Q. From the picket line. Were they to be paid anything?

(Testimony of Joseph Curran.)

A. Were they to be paid anything?

Q. Yes.

A. Well, they were to get what the rest of the strikers [5197] were getting. They were to get their food if we got the money for it. They were getting their bed, if we got the money for it. They had the same as others. They volunteered.

Q. Who was to account for the receipts there at the Madison Square Garden?

A. I imagine the Secretary of the Strike Committee would account for them.

Q. Did you have an Auditing Committee, too, or was he given full responsibility to account for all the money?

A. We didn't have an Auditing Committee then, no.

Q. Did you appoint anyone?

A. I did not.

Q. Well, was he to take charge of all of the collections at the Madison Square Garden for that night?

A. Yes, he was in charge of it.

Q. Did he collect all the money?

A. I don't know about that. I don't know.

Q. Didn't they report to you, Mr. Curran?

A. No.

Q. Weren't you interested in feeding these starving seamen?

A. Very much, sir.

Q. Very much?

A. Very much.

Q. Well, you say how many were there that attended [5198] this meeting?

(Testimony of Joseph Curran.)

A. At Madison Square Garden.

Q. Yes.

A. Somewhere in the neighborhood of 17,000.

Q. Do you know how much paid attendance there were?

A. I'm not too clear on how much. I think the meeting grossed—I am not too clear. I think \$1,200.

Q. How do you know that?

A. I say, "I think" it was that. I believe I heard that figure.

Q. They grossed that much money.

A. Yes.

Q. That is, over and above what?

A. No, not gross. I mean the ticket sale, the ticket sale.

Q. And who collected that money?

A. Well, we collected that.

Q. Who do you mean by "we"?

A. Well, the Committee set up by the Strike Committee, supervised by the Strike Committee in the person of Jack Lawrenson and others and accounted for it.

Q. And under your direction as Chairman?

A. Under the Strike Committee's direction.

Q. And you as Chairman?

A. And mine as Chairman, yes. [5199]

Q. Who handled the funds?

A. I don't know who handled those funds. I really don't. I mean the actual handling of them. I know that Peter Innes was counting them. I

(Testimony of Joseph Curran.)

know that McCuistion was counting. I know that Jack Lawrenson was counting.

Q. Oh, did they have anything to do with this money?

A. What do you mean by that?

Q. Collecting the money.

A. Which money do you mean? The money that was collected?

Q. The money collected from the rally there.

A. On the tickets or the collections from the floor?

Q. Either the tickets or the collections from the floor.

A. Well, the collections from the floor, as it was being collected it was dropped and put on a table, and there were four or five busy counting it there. We were a group of rank and file.

Q. And among those were Innes?

A. Innes, McCuistion and Jack Lawrenson.

Q. Jack Lawrenson and yourself?

A. No, I didn't count it. No, not me.

Q. Who appointed Innes and McCuistion?

A. Nobody. You see, if you want me to be clear on that, in those days we had a very loose set-up. We didn't [5200] go in for a high degree of efficiency on anything. A group of rank and filers would jump in and do the work. You didn't have to appoint as they do in the A. F. of L. or other places. They just jumped in and did the work and we trusted each other.

Q. Did you trust Innes?

A. Sure.

(Testimony of Joseph Curran.)

Q. Did you trust McCuistion?

A. At that time, yes. Sure!

Q. I thought you said they both had a poor reputation for truth and honesty? A. Yes.

Q. And you wouldn't believe them under oath?

A. That is right.

Q. And you trusted them with funds?

A. In front of 20,000 people, yes.

Q. And there were starving people?

A. They were counting money in the open. You see, this table was on the platform, in order to be clear. The table was on the platform and around it was the entire Garden and on the platform were another hundred.

Q. Was the money received from the sale of tickets at the box office on that table?

A. I don't know. I don't know. [5201]

Q. How much was received from the box office?

A. I don't know. I think it was in the neighborhood of \$1,200.

Q. Where did you get that information?

A. I have heard it. I believe I heard it the following day.

Q. Weren't the reports submitted to you?

A. No. We didn't get reports on that. We got a report on it, I believe, on the approximate total and in the total I believe there was a calculation of the tickets and then the collection from the floor.

Q. All right. Do you know how much was collected on the floor?

(Testimony of Joseph Curran.)

A. I think it was about \$2,000 or \$2,500. I am not too clear on that neither.

Q. And how much was collected from the sale of the tickets?

A. About \$1,200.

Q. Making a total of \$4,200?

A. I don't know. I guess so. I can't figure it.

Q. Wasn't a counting made of it?

A. I am not counting that total here right now. You're counting the total.

Presiding Inspector: Oh, no. He is asking you.

By Mr. Del Guercio: [5202]

Q. Wasn't—

Presiding Inspector: (Interposing) Wait! Let us have order.

He is asking you. You can add it up yourself.

The Witness: All right.

Presiding Inspector: You have given the figures. Now, let us have some order in this proceedings.

The Witness: \$2,000 and \$1,200? That's \$3,700, isn't it?

By Mr. Del Guercio:

Q. You said between \$2,500 and \$3,000. I took your highest figure.

A. I didn't. I said between \$2,000 and \$2,500.

Q. For the tickets? For the sale of the tickets at the box office?

A. No, the collection from the floor.

Presiding Inspector: Take the \$2,000.

(Testimony of Joseph Curran.)

The Witness: And then about \$1,200 from the sale of tickets.

By Mr. Del Guercio:

Q. Who had charge of the——

Presiding Inspector: (Interposing) Wait a second! Let us have the full answer.

By Mr. Del Guercio:

Q. Was that all the money that was collected?

[5203]

A. To my knowledge.

Presiding Inspector: Now, how much does that make all together?

The Witness: Well, I believe that totals up around \$3,200.

Presiding Inspector: Now, if it was \$2,500?

The Witness: It would be \$3,700.

By Mr. Del Guercio:

Q. Who had charge of the monies collected or received from the sale of the tickets from the box office?

A. I don't know. I don't know who had charge of the monies collected from the box office. I tell you again, it was a very loose establishment at that time.

Q. Well, was this thing run for a profit, to make money?

A. Of course it was run to get money for the striking seamen.

Q. What did you want the money for?

A. Mainly for the purpose of feeding and sleeping and taking care of striking seamen.

(Testimony of Joseph Curran.)

Q. Of the strikers? A. Yes.

Q. And——

A. (Interposing) We didn't clear the price of the Garden.

Q. How do you know you didn't? [5204]

A. Well, I can figure that out.

Q. Can you figure it out?

A. Yes. The Garden, if it cost \$3,500 for the Garden alone, you then—as I understand it there, they also had some extras to pay in the form of special policemen and other things around there to take care of the building. They have to take care of that, too, and that's extra. Then if you take in \$3,000 or \$3,200 you didn't clear the cost of the Garden.

Q. How do you know you didn't clear \$5,000?

A. Well, from the amount that I judge and that I have said I believe was collected there we didn't clear the initial price that was stated the Garden cost: \$3,500.

Q. Now had the Garden been paid for prior to the rally?

A. I don't know. I know that it was guaranteed. I believe. I don't believe it was paid for.

Q. And you don't know whether it had been rented or not, or had been paid?

A. I was under the impression that it was guaranteed. In what shape, whether by note or endorsement I don't know. I didn't know at that time.

Q. Who would guarantee it, if somebody had?

A. I wouldn't know who would have guaranteed it. [5205]

(Testimony of Joseph Curran.)

Q. Didn't Lawrenson tell you?

A. Lawrenson told us that the Garden is available and that is all we asked him. We didn't ask him any more.

Q. And he didn't tell you how much he had to pay for the rental of the Garden?

A. No, I don't believe he did. I think that a few days before that we asked for information about the Garden and found out that it cost about \$3,500.

Q. Did you as Chairman of the Strike Committee authorize David Leeds to rent the Madison Square Garden on behalf of the Strike Committee, of which you were Chairman? A. I did not.

Q. Did the Strike Committee as a whole authorize David Leeds to rent the Madison Square Garden for that Strike Committee?

A. They did not. They did not.

Q. Was David Leeds an agent of the Strike Committee at any time?

A. Not that I know of.

Q. You would know, of course, wouldn't you, if he was?

A. I would, I believe. Yes.

Q. I believe your testimony is that you didn't know who David Leeds is?

A. I not only didn't know him but I don't know him to [5206] this day, and wouldn't know him if I saw him here.

Q. So that your testimony is certain on that, that

(Testimony of Joseph Curran.)

you didn't appoint David Leeds as an agent of the Strike Committee?

A. It is certain, as certain as I am sitting here.

Q. And no motion was made or carried in any meeting of this Strike Committee appointing David Leeds as an agent of the Strike Committee for any purpose?

A. No, there was not.

Q. You would know of such a motion?

A. I am pretty sure there wasn't.

Q. Now, you say all of the money was on the table here, the money that had been collected from the audience and the money from the sale of the tickets were on the table?

A. I am not sure that the money from the sale of the tickets was on that table. I say that the money, as it was being collected from the floor, was on the table.

Q. And it was counted?

A. It was being counted.

Q. Was the counting completed?

A. I believe there was an announcement at the end of the amount collected.

Q. What was the announcement as to the amount?

A. I am not too clear on it and I couldn't be sure.

Q. Who made the announcement?

A. I believe that McCuiston announced the amount that [5207] was collected.

Q. McCuiston stood up and announced the

(Testimony of Joseph Curran.)

amount of money that had been collected from the audience? A. Yes.

Q. Who authorized him to do that?

A. Well, he was the man that made the collection speech, you see. In other words, he was the one that spoke for the collection, and it's the usual custom in meetings of that type that the one who does the collecting usually comes back later and makes an announcement of the amount taken in. It's just a—

Q. (Interposing): Who authorized McCuiston to speak on behalf of the collection?

A. Well, we thought he was a pretty good speaker and we just naturally told him to do the talking, that's all.

Q. By "we" you mean yourself and others?

A. Yes; the group; the Strike Committee.

Q. McCuiston was a friend of yours at that time? A. Well, he was, yes.

Q. And what happened to the money after it was counted and the announcement made?

A. I don't know for sure what happened to the money after that, after it was taken off the table. I think—

Q. (Interposing): Weren't you interested?

A. No, in the actual counting of the money. I was too busy. [5208]

Q. Not the actual counting but as to where the money went?

A. No. We trusted most everybody in those days. We found out since we trusted too many,

(Testimony of Joseph Curran.)

but we trusted most everybody. We were pretty naive, and nine times out of ten nothing was stolen.

Q. And where did the money go?

A. We didn't have enough—

Q. (Interposing): After the money was counted where did it go and who took it?

Presiding Inspector: He says he doesn't know.

A. I don't know where it went after it was counted. I know this much: That it wasn't enough money collected to pay for the Garden.

By Mr. Del Guercio:

Q. How do you know that?

A. Well, since then I know that on our debts with the Union which we assumed when the National Maritime Union was set up there was a debt listed towards the Madison Square Garden of a few hundred dollars yet. And we have been paying off those debts which the strike committee in the old days had O.K.'d. We have been paying off those debts.

Q. Let me get this straight first. You have been paying debts to the Madison Square Garden?

A. I say, one of the debts that is among the debts [5209] in the National Maritime Union and listed as such, I believe, is an amount of money owed to the Madison Square Garden.

Q. Because of this rally in 1936? A. Yes.

Q. How much was that? In what amount?

A. I don't know.

Q. Has it been paid? A. I don't know.

(Testimony of Joseph Curran.)

Q. Huh?

A. Oh, whether it has been paid or not? We owe quite a few debts and we pay off on them in the regular way.

Q. Did you pay this debt to the Madison Square Garden?

A. I can't be clear on that unless you allow me to tell you how we pay our debts.

Q. No, no. You have already testified that there is a debt outstanding.

A. That's right.

Q. Between the Garden and your—what is the organization you belong to at the present time?

A. The National Maritime Union.

Q. You say the National Maritime Union has assumed that debt?

A. We assumed the debts that the Strike Committee previous to the inception of our Union—

[5210]

Q. (Interposing): Incurred?

A. (Continuing): —had contracted.

Q. And among those debts was that contracted for the use of the Madison Square Garden?

A. That's not my answer. Among those debts was a debt of some dollars to the Madison Square Garden and I saw it there. I believe it said "For Madison Square Garden meeting". I believe that's listed.

Q. In what amount?

A. Now, I say, along with the rest of our debts which we pay off on a regular periodic basis, depending on the manner in which our business is con-

(Testimony of Joseph Curran.)

ducted, that one too will be paid on the same basis as the others.

Q. Let's only go to that one particular debt.

A. You can't do it.

Q. Huh? A. You can't do it.

Q. You can't?

A. All our debts are put together. On the first of each month we make payments on our debts, you see.

Presiding Inspector: Just shows the gross amount of debts?

The Witness: It does, and then it itemizes them.

Presiding Inspector: What was the item for? That is what he is asking you, if you can tell. If you can't tell, [5211] just say so.

The Witness: It is itemized.

Presiding Inspector: Can you tell how much it was?

The Witness: No, I can't.

Presiding Inspector: That is all.

The Witness: No, no.

By Mr. Del Guercio:

Q. But—

Presiding Inspector: That ends it.

By Mr. Del Guercio:

Q. But you are sure that it was a debt incurred by the Strike Committee to the Madison Square Garden for the meeting here on December 16, 1936?

A. No, I am not sure.

(Testimony of Joseph Curran.)

Q. You are not sure?

A. I say that listed among our debts is a debt to the Madison Square Garden for a meeting, and I believe it's that meeting. I believe it's that meeting.

Presiding Inspector: That is his best recollection, he means.

By Mr. Del Guercio:

Q. Did the National Maritime Union assume any debts owed by the Strike Committee to David Leeds?

A. If they borrowed money from David Leeds, yes. [5212] And it was voted upon to go out and borrow money and David Leeds was the man they borrowed on it, yes, we assumed that debt as a legitimate debt.

Presiding Inspector: That would be under the name of David Leeds?

The Witness: That is correct; sir.

By Mr. Del Guercio:

Q. But did you incur any such debt owing to David Leeds?

A. I believe we owed a debt—I'm not sure whether it is to David Leeds or whether the item reads "Madison Square Garden".

Q. I am only asking you about David Leeds.

A. I am not sure that we owe any money to David Leeds as such.

Q. You testified that you had never heard about Leeds before?

A. Yes, I still say that I have never heard about

(Testimony of Joseph Curran.)

Leeds up to the time Leeds became in the first—I believe the first hearing here under Dean Landis, and this hearing. I have become acquainted with David Leeds, and in the Dies Committee. I have never laid eyes on David Leeds.

Q. But you have had an opportunity since that time to refresh your memory a little bit.

A. On what basis? On what? [5213]

Q. Regarding the debts owing to Madison Square Garden.

A. No. I am not too clear on that Madison Square Garden matter on the question of the debt. I said that before and I say it again.

Q. Now, I believe that you said that you didn't know where the money that was collected finally went to, is that correct?

A. I say that I believe it went to pay for the guarantee of the Garden.

Q. Who took it? Who took the money?

A. The Secretary of the Strike Committee.

Q. Lawrenson? A. Jack Lawrenson.

Q. Did McCuiston turn it over to him?

A. I believe so.

Q. Do you know?

A. I don't know for sure.

Q. What did Lawrenson do with it?

A. I believe Lawrenson turned the money in to clear up the Garden debt.

Q. Right then and there?

A. No, I don't believe right then and there.

Q. Well, when?

(Testimony of Joseph Curran.)

A. I believe we used some in the strike, I believe. [5214]

Q. Well now, are you sure of that? How much did you use during the strike?

A. Maybe a couple of dollars or so.

Q. A couple of dollars, is that all?

A. Maybe.

Q. Huh? A. I don't know the amount.

Q. Was a report made by Lawrenson?

A. On what?

Q. On what he did with the money?

A. On the amount of money used?

Q. Yes.

A. I believe a report was made on how the money was handled.

Q. You saw that report?

A. I believe I saw the report.

Q. Well, he gave that report to you, didn't he?

A. No. He gave the report to the Strike Committee, of which I was a member.

Q. Of which you were the Chairman?

A. That's right.

Q. Now, he wouldn't hand it to the Strike Committee? He would hand it to you, wouldn't he?

A. As Secretary of the Strike Committee it would be his job to read it to the Strike Committee, if he had a written report; and if he made a verbal report it would be up to him to [5215] make the report to the Strike Committee and not to me alone.

Q. And if a report was made you were present and heard it? A. That's correct.

(Testimony of Joseph Curran.)

Q. If a written report was made of it you would have seen it? A. That is correct.

Q. Did you see a written report?

A. I believe I did hear a verbal report.

Q. Did you see a written report?

A. I don't believe I did.

Mr. Del Guercio: May we have a little recess?

Presiding Inspector: Yes, short recess.

(Whereupon a short recess was taken.)

[5216]

Presiding Inspector: Mr. Grossman, did Mr. Meyer send you a copy of this letter that he sent to me?

Mr. Grossman: No, he didn't; at least, I haven't received it.

Presiding Inspector: He refers to three statutes, of which we will take judicial notice, of course, and I think it only covers one month of the period which you are interested in.

Mr. Grossman: I will look it over and discuss it with you.

Presiding Inspector: All right. Then show it to Mr. Del Guercio.

Mr. Grossman: Yes; I will.

(The letter referred to was passed to Mr. Grossman.)

Presiding Inspector: You may proceed, Mr. Del Guercio.

By Mr. Del Guercio:

Q. Who had charge of the admissions to this rally in Madison Square Garden?

(Testimony of Joseph Curran.)

A. Well, you mean who was in the ticket booths?

Q. Yes.

A. I don't know. I think there were striking seamen in the ticket booths.

Q. Was there somebody from the Garden there also?

A. I imagine there were plenty from the Garden; special police around, and supervisors and all; they are always around there. [5217]

Q. Had any instructions been left with them as to admitting anyone free of charge?

A. Yes. The striking seamen were to be let in free.

Q. How were they to be identified?

A. They had a strike card.

Q. Who made those arrangements?

A. Well, we told all and sundry that all the striking seamen were to get in. I don't remember the persons told, but everybody knew that.

Q. Was that discussed and arranged in the strike Committee?

A. Yes, of course. I believe we had some masters at arms stationed at the door, seamen, who were to look over the picket cards as they came in.

Q. How many striking seamen were there at that time?

A. Roughly, I should say about between 6000 and 7000 in New York.

Q. Were they all in Madison Square Garden?

A. No. We maintained some picket lines, and other activities.

(Testimony of Joseph Curran.)

Q. How many would you say attended the rally there?

A. It is pretty hard to say. I imagine about 4000.

Q. You say there were about 20,000, between 17,000 and 20,000 people there that night?

A. I would say nearer 20,000. We would have to say 20,000, when we count the striking seamen in there, there in [5218] the Garden. But we would discount them to get the number of paid admissions.

Q. There were about 20,000 paid admissions?

A. No. There were about 20,000 people in the Garden, from which you would discount the amount of seamen in there without paying, which would run maybe 3000 or 4000, and then you would probably have the paid admissions.

Q. Now, how many people were there on the platform that night?

A. I should say about between 50 and 100: quite a big platform.

Q. Was David Leeds on the platform?

A. I don't know.

Q. Would you say that he wasn't?

A. I don't know. I couldn't say he was or I couldn't say he wasn't, because I don't know the man when I see him.

Q. You knew Roy Hudson? A. Yes.

Q. Would you say he was not on the platform?

A. Yes; I would say he was not on the platform.

(Testimony of Joseph Curran.)

Q. Do you know Al Lannon? A. Yes.

Q. Would you say he wasn't on the speakers' platform? A. He was; yes.

Q. And do you know Tommy Raye?

A. Yes. [5219]

Q. Would you say that he was on the speaker's stand?

A. I don't believe he was on the speakers' stand.

Q. You don't believe—is there some doubt?

A. Well, you see there were a great many people on that platform. He was a member of the,—a striking member,—and there was a great many of them on the platform. I couldn't be sure whether he was there or not.

Q. He may have been there?

A. A great amount of time has passed since then and it is difficult to recollect every detail there.

Q. You wouldn't say that he wasn't on the stand?

A. No; I wouldn't say he wasn't or I wouldn't say that he was.

Q. After the rally was over I believe you testified that Harry Bridges went into the press room, is that right? A. Yes.

Q. And you went with him? A. Yes.

Q. How many went with you and Harry Bridges into the press room?

A. Well, we got off the platform and there was quite a milling around the platform there, and we got down off of there, and on the left hand side of

(Testimony of Joseph Curran.)

the platform going through the back there is an ante-room there. This red-headed guy, longshoreman from Rhode Island, grabbed hold of Harry and we had all we could do to drag him into that ante-room. [5220]

Q. You were with Harry Bridges at the time?

A. Yes.

Q. You recall that incident?

A. I do pretty clearly because we had quite a struggle getting him away from this red-headed guy who hadn't seen him for years.

Q. How many times have you been on the platform of Madison Square Garden?

A. You mean now, or before then?

Q. Before that?

A. I had never been in Madison Square Garden before then. That was the first time I had been in the Garden.

Q. Have you been there since?

A. Oh, yes; many times.

Q. On the platform?

A. Yes. I was there last week on the platform.

Q. Well, now, you say you went to the press room. How many were there with you and Bridges in the press room?

A. There were about six or seven newspaper men.

Q. Eliminating the newspaper men, how many others were there?

A. Well, there was, I believe, there was Bridges,

(Testimony of Joseph Curran.)

myself, Peter Innes, and, I am not too sure, no, McCuiston wasn't there.

Q. You are sure about that?

A. I am sure he wasn't there now; I am sure of that. [5221]

Q. Who else?

A. I don't recall clearly recollect anybody else.

Q. There might have been others?

A. I don't think there was anybody else.

Q. There might have been some others there?

A. Yes and no.

Q. What was Innes doing there?

A. Oh, every time you looked around he was there.

Q. He muscled in there too?

A. He muscled into everything; he never missed.

Q. How long would you say you remained in the press room?

A. I should say roughly about 15 or 20 minutes.

Q. And the press men were there all that time?

A. Yes; they were asking Bridges questions.

Q. And where did you go from there?

A. From there I went out of the building.

Q. Alone?

A. No. I had a whole group of seamen around me when I went out of the building.

Q. Was Harry Bridges with you? A. No,

Q. Did you leave Bridges in the building?

A. As soon as he got out of the press room this guy from Rhode Island grabbed him around the neck and they went off together.

(Testimony of Joseph Curran.)

Q. Did you see them go out? [5222]

A. I saw them go from the press room, from this ante-room, and I went out on my own and met a group of seamen at the door and we went down to strike headquarters.

Q. Let us get back to this press room. You saw Harry Bridges and this red-headed guy come out of the press room?

A. I say we came out of the door of the press room—and we had kept this guy, by main force, out of the press room—and when he came out the door he was there.

Q. Did you and Bridges come out of the press room together?

A. The whole group pushed out of the press room at the same time.

Q. The press men also? A. Yes.

Q. All pushed out?

A. Well, walked out, we will say. It is a narrow door and they all tried to get out the door at the same time. You can call it "pushing," or "shoving"—but we got out.

Q. You were with Harry Bridges when you were going out and you saw this red-headed guy grab him?

A. He grabbed Harry, hugged Harry, and they went on out the door.

Q. Did you see Harry go out the door?

A. Yes.

Q. Out of what door?

A. You see, Madison Square Garden is on the

(Testimony of Joseph Curran.)

starboard [5223] side, right side of the building on 48th Street; the left side is on 49th Street. We went out the 49th Street door.

Q. Who is "we"?

A. Bridges, the red-headed guy right behind him. I came out and met a group of seamen and we went down 9th Avenue, which is that (indicating) way, and Bridges and the red-headed guy went toward 8th Avenue, which was that (indicating) way.

Q. Did anybody else go with Bridges and this red-headed fellow?

A. I didn't pay any attention. When I came out of the door I walked down 9th Avenue with this group of seamen.

Q. Did you see where Bridges went?

A. No, I did not.

Q. That is the last you saw of Harry Bridges, when he and this red-headed guy left there?

A. That night; yes.

Q. Immediately after he went out the door on 49th Street?

A. That night.

Q. And you went one way and Harry Bridges went another?

A. Yes.

Q. Do you know where Harry Bridges went?

A. No.

Q. He might have gone back into Madison Square Garden?

A. He might have done anything for all I know.

Q. You wouldn't know?

A. No. [5224]

(Testimony of Joseph Curran.)

Q. Did you go back to Madison Square Garden that night?

A. No. I went down to strike headquarters.

Q. Was Lawrenson—you know Lawrenson as a member of the Communist Party, don't you?

A. No.

Q. What?

A. I know him as a member of the National Maritime Union.

Q. You also know him as a member of the Communist Party?

A. No, I don't.

Q. Have you ever said you knew him to be a member of the Communist Party?

A. No, I did not.

Q. Or that you knew him to be a member of the Communist Party?

A. No, I did not.

Q. You have never at any time admitted you knew him to be a member of the Communist Party?

A. No. I believe I said that in the case of one, that I had heard proclaim himself publicly, being a member of the Communist Party.

Q. Who was that?

A. I believe that was in the case of Al Lannon. I am not too sure about that; I believe in that case I said that.

Q. Is Tommy Rave a member of the Communist Party?

A. I have heard people say he is. I don't know. I didn't question him on his affiliation, political affiliation. [5225]. He is a seaman.

Q. He is what?

(Testimony of Joseph Curran.)

A. A seaman, and a member of the union.

Q. Did you ever call Al Lannon a Communist, Tommy Raye, a Communist? A. No.

Q. At any time, any place?

A. Not that I know of. I don't make a practice of calling anybody a Communist.

Q. Why? A. I leave that to others.

Q. I believe you referred to a strike in the spring of 1936? A. Yes.

Q. That was called the spring strike?

A. Yes.

Q. And when did that strike terminate?

A. When did it what?

Q. Terminate?

A. It terminated, I believe, on May 4th.

Q. May 4? A. I believe.

Q. 1936? A. Yes.

Q. And do you know if Innes had any connection with that strike? [5226]

A. I believe it was in the middle of that strike, or nearing the end of that strike, that I first saw Innes, that he first appeared on the scene.

Q. And the other strike that took place in 1936, that began when?

A. I believe it began on November 1st.

Q. On November 1st?

A. Midnight of the—has October 31 days—on midnight of the 31st, that was when it actually took place, I believe.

Q. That is the strike in which you were Chairman of the Strike Committee?

(Testimony of Joseph Curran.)

A. Yes. I was also Chairman of the Strike Committee in the spring strike.

Q. When had it been decided upon to call that strike?

A. The last strike?

Q. Yes.

A. Well, there was a meeting at Cooper Union Hall in New York City, sponsored by the officials of the International Seamen's Union of America, and at this meeting—

Q. (Interposing): When was that in respect to the time that the strike was actually started?

A. I believe that meeting was about October, somewhere around the 20th, but I am not sure; somewhere around that date.

Q. And is that the time that the Strike Committee was formed?

A. No. That is the time that the membership decided to [5227] support the west coast.

In order to be clear on that, there was a great deal of sentiment among the seamen to support the west coast unions, but the officials of the ISU would not allow them to express themselves on it. And in order to offset the growing sentiment the ISU officials called this big meeting in New York; and at this meeting they attempted to prevent the rank and file from voting support to the west coast, with the result at that meeting the officials had to walk out of the meeting because the rank and file wouldn't go along with them. They walked out of the meeting and left the meeting. The rank

(Testimony of Joseph Curran.)

and file at that meeting voted to support the west coast unions on strike without the officials being there. That is the place that it really started.

Q. Was the Strike Committee appointed at that time? A. No, no.

Q. When?

A. After that, I believe a couple of days after that, either one or two days—no—the next day at Manhattan Plaza.

Q. You knew Peter Innes at that time?

A. No—yes, at that strike; yes. I thought you were referring to the spring strike.

Q. What position did he have, if any, at that time?

A. He was on the Pacific Coast then. [5228]

Q. As what?

A. And he was collecting advertisements for the Pilot, our paper, and he muscled in here and there on the west coast.

Q. Was there a Seamen's Defense Committee around that time?

A. Yes. It was dissolved at the mass meeting at the Manhattan Plaza and the Strike Committee then took over.

Q. Who created the Seamen's Defense Fund?

A. The Strike Committee. When it ended on May 4th, or approximately that date, the rank and file seamen had been on an outlaw strike, as it was called by the officials of the ISU, and the strike was terminated then, and they decided in a mass meeting at the same place, Manhattan Plaza; in

(Testimony of Joseph Curran.)

order to protect themselves, and knowing that the west coast was definitely headed toward a strike, and being afraid that the ISU officials that were then in office would not allow them to take any action in support—

Q. (Interposing) Look, I am just asking you when that Manhattan Plaza meeting took place.

A. These things are so close—

Q. (Interposing) What date was that meeting? A. Which meeting?

Q. The one where the Strike Committee was set up?

A. Immediately at the close of the spring strike?

Q. That was when?

A. I should say about May 4th; at the termination of the strike a meeting was called for the purpose of calling off [5229] the strike and that committee was established.

Q. The Seamen's defense Committee continued after that date?

A. Yes. It was set up for that purpose, to continue to protect the interests of the rank and file.

Q. How long a period did it continue?

A. Right up until the second strike. It was dissolved at a mass meeting that created the Strike Committee.

Q. Was Peter Innes on that Seamen's Defense Committee?

(Testimony of Joseph Curran.)

A. No. He shipped out shortly after the spring strike.

Q. You said something about representing the Pilot, that Innes represented the Pilot.

A. Out on the Pacific Coast. He shipped out of New York and when he arrived on the West Coast he represented the Pilot; yes.

Q. What is the Pilot, will you explain that?

A. The pilot— —

Q. (Interposing) Briefly.

A. It was the official organ of the National Maritime Union at that time.

Q. Official Organ of the Maritime Union?

A. National Maritime Union.

Q. And it has its offices where?

A. In New York.

Q. And who appointed Peter Innes as a representative of the Pilot? [5230]

A. Of the Pilot—when I signed his credentials?

Q. You signed his credentials? A. Yes.

Q. And when was the NMU organized?

A. In May 1937; May 7, 8, or 9—I am not sure about what date that was. I think it was May 8.

Q. Was there a Pilot in May 1936?

A. Yes.

Q. Who ran it?

A. Some rank and file seamen, members of the ISU.

Q. It wasn't the official organ of the NMU?

A. There was no NMU at that time. It was the ISU.

(Testimony of Joseph Curran.)

Q. Was the Pilot the official organ of the ISU?

A. No. The Seamen's Journal was the official organ.

Q. Of what was the Pilot the official organ?

A. The voice of the rank and file in opposition to the fakers of the ISU.

Q. Who were the editors?

A. There were two or three editors, two or three different editors for it.

Q. Were you one of the editors?

A. No, I was not.

Q. Did you have anything to do with the Pilot?

A. At what period of time—let's get that clear?

Q. During 1936?

A. Yes. Then I was one of the editors of the Pilot in [5231] 1936, from May on.

Q. From May on to the time the NMU took over?

A. Yes.

Q. When did the NMU take over?

A. It took over in May 1937.

Q. And you say you were one of those who appointed Peter Innes as a representative of the Pilot?

A. No. The Seamen's Defense Committee as such decided that it was all right for him to collect advertising, and to distribute the Pilot, and to make contacts for the Pilot to get it aboard the ships, and I signed his credentials, as Chairman of the Defense Committee, in that respect.

Q. Where did the Seamen's Defense Committee have its headquarters in 1936?

(Testimony of Joseph Curran.)

A. 164 Eleventh Avenue.

Q. New York? A. Yes.

Q. Were you the Chairman?

A. I was the Chairman.

Q. Who was the Secretary?

A. Ralph Emerson.

Q. Was it Jack Lawrenson or Ralph Lawrenson?

A. Ralph Emerson was the Secretary of the Seamen's Defense Committee.

Q. And did you ever correspond with Innes, as Chairman of the Seamen's Defense Committee? [5232]

A. I believe I did; I believe I did.

Q. Did you ever refer to Peter Innes as the W. C. Representative of the Seamen's Defense Committee? A. No.

Q. In 1936? A. No, I don't believe I did.

Q. Did you ever write him a letter, addressed to Peter Innes, as the West Coast Representative of the Seamen's Defense Committee?

A. I believe I did one or two; yes.

Q. Did you address him as "Dear Brother?"

A. Sure. He was a member of the union.

Q. And did you sign it, "Yours Fraternally, Joseph Curran?"

A. I would sign—you are speaking of what, of communications I sent, or a particular communication?

Q. Communications that you sent?

A. Communications I sent to any members of

(Testimony of Joseph Curran.)

the union would be signed "Fraternally yours," to a member of any trade union; yes.

Q. Now, do you know where Innes was about October 1936?

A. He might have been in Frisco.

Q. And do you recall now communicating with Peter Innes in October of 1936?

A. I might have.

Q. To go back, Mr. Curran, I believe you testified that [5233] you didn't know Tommy Raye, never knew he was a member of the Communist Party.

A. I think the record there states that.

Presiding Inspector: I think he said so.

A. (Continuing) I think the record shows.

Presiding Inspector: That is my recollection.

By Mr. Del Guercio:

Q. Did you, in any communication to Mr. Innes, say this:

"I am going to see that you get a money sent to you if it is at all possible. I know what you are up against there on the coast and the firemen here now with the exception of Jerry King, are all pie cards."

Q. Did you say that? A. I might have.

Q. Further, did you say to McInnes, in one of your letters—

A. (Interposing) I never wrote a letter to anyone by the name of McInnes.

Q. Innes. A. Oh.

Q. Did you say this:

(Testimony of Joseph Curran.)

"They have credentials from Hunter and they think they are big shots now. The C. P.'s"—

A. (Interposing) I might have,

Q. (Continuing) —"have about got the control of the outfit now with Tommy Raye director of operations here in New [5234] York, but things are not bad on the whole."

Did you ever say anything like that in one of your letters to Innes? A. I might have.

Q. What did you mean by this language, "they have credentials from Hunter and they think they are big shots now. The C. P.'s have about got control of the outfit now with Tommy Raye director of operations here in New York, but things are not bad on the whole."

A. I would have to read the letter and study it to see what I meant. I can't just off-hand tell you what I meant. Time has gone along and I would have to see the letter.

Presiding Inspector: He is entitled to see the letter.

By Mr. Del Guercio:

Q. You knew at that time that Tommy Raye was a member of the Communist Party?

A. I did not.

Q. And didn't you in this letter, in the letter, tell Peter Innes that the whole outfit was under the control of Tommy Raye? A. I did not.

Q. Who is the Jerry King that you refer to?

A. He is another one of the ones we trusted.

(Testimony of Joseph Curran.)

Q. What?

A. He is another one of the ones we trusted in those days and who is now in prison. [5235]

Q. Is he also a member of the Communist Party? A. I don't know.

Q. Did you, in about August, 1936, write a letter to your friend, Peter Innes, asking Innes to take up the question of your coming out to the West Coast so that you could stay out here?

A. I am not qualified to answer that unless I see the letter. I wrote many letters in August to many people and I might have written a letter to Innes and I might not; but before I do say I wrote a letter I would like to see the letter.

Q. Did you say at any time, did you write to Innes at any time stating that you wanted to come out here to the west coast because you didn't believe that there was anything on the east coast because the Communist Party had broken up all your chances there?

A. I might have; I don't know; I might have. I would like to see the letter though before saying I did.

Q. Did you ever write another letter to Peter Innes, in about October 1936, wherein you complained to Innes that you were referred to by the World Telegram about a certain voice referring to you as "Joe Curran, adored by the seamen?"

A. I ask you to let me see the letter before I answer. I won't say "Yes" or "No" until I see the letter.

(Testimony of Joseph Curran.)

Q. Were you ever referred to by anyone as being "adored by the seamen?"

A. I don't recollect; I may have been. [5236]

Q. Did you complain of that to McInnes?

A. To Innes, you mean?

Q. Yes.

A. I don't know whether I did or not.

Q. You might have?

A. I would like to see the letter you referred to before I answer. I am not sure until I read the letter, just how it is written. You may be phrasing it in your own language.

Q. You know what the Voice of the Federation is, don't you? A. Yes, I certainly do.

Q. Did they ever refer to you, the Voice of the Federation, as "Joe Curran, adored by the seamen?"

Mr. Gladstein: I object to that as immaterial.

Presiding Inspector: I think it is immaterial.

A. I—

Presiding Inspector: Don't answer.

By Mr. Del Guercio:

Q. Now, Mr. Curran, who paid for Harry Bridges' expenses from New York to Philadelphia—is that the first place he went, to Philadelphia?

A. No. The first place he went was to Boston.

Q. To Boston. Who paid his expenses from New York to Boston? A. We did.

Q. Who do you mean by "we"? [5237]

A. We on the Strike Committee.

Q. Did you?

(Testimony of Joseph Curran.)

A. I had some money with me; yes.

Q. Did you purchase Bridges' transportation from New York to Boston?

A. No. I don't recollect how that was done. I paid for some food, he paid for some food, and I forget—

Q. (Interposing) Who do you mean by "he," Harry Bridges? A. He, Harry Bridges.

Q. You say you went with Harry Bridges from New York to Boston? A. To Boston; yes.

Q. Did anyone else go along?

A. Peter Innes, but Peter Innes didn't go on the plane. We managed to get away from him that time.

Q. He didn't muscle in? A. No.

Q. How did you travel from New York to Boston? A. We went by plane.

Q. Who purchased Mr. Bridges' transportation?

A. I don't remember. I think that Harry Bridges purchased it himself.

Q. Is it possible that Peter Innes purchased it?

A. He may have been assigned to the task of obtaining the ticket, but I don't believe that Peter Innes provided the [5238] cash to purchase it.

Q. Did you give any money to Peter Innes to buy any transportation?

A. I don't know for sure; I doubt it.

Q. You bought your own?

A. I think I did.

(Testimony of Joseph Curran.)

Q. You didn't buy Harry Bridges' transportation? A. I don't think I did.

Q. Did you see Harry Bridges buy his own transportation? A. I did not.

Q. Now, did you buy a return trip?

A. No.

Q. What? A. A one-way ticket.

Q. How did you return?

A. We returned in the Ford sedan with the broken windows, and we almost froze to death coming home.

Q. But you didn't? A. Not quite.

Q. And you returned with Harry Bridges?

A. Yes.

Presiding Inspector: That is the time they thawed out.

Mr. Del Guercio: I was wondering about that.

By Mr. Del Guercio:

Q. You returned to New York?

A. Yes. [5239]

Q. Where did you go from New York next with Harry Bridges, if you went anywhere?

A. Well, when we got back to New York from Boston I went on home.

Presiding Inspector: He means—

The Witness: Oh, the Philadelphia trip.

By Mr. Del Guercio:

Q. When did Bridges leave New York next after his return from Boston?

A. He next went to Philadelphia.

(Testimony of Joseph Curran.)

Q. Did you go with him?

A. No, I did not.

Q. Now, to go back to Boston, when you and Harry Bridges arrived in Boston, were you met by anyone?

A. Yes. We were met by members of our Strike Committee. I think the Chairman was Thomas. I am not sure about that. I think there was also a longshoreman by the name of Flaherty.

Q. Marty Flaherty?

A. Yes, I think so. I am not too clear on that. I think there were two or three more Boston people, I think a couple of seamen besides the Chairman of the Boston Strike Committee.

Q. Where did you go after you were met by this group?

A. I believe we had dinner at Marty Flaherty's house that night. I believe he fed us. [5240]

Q. How many were at Marty Flaherty's house at that time?

A. Just Flaherty, myself,—I don't believe Peter Innes had gotten there yet at that time. He was driving up in a flivver with Cunningham, so I don't think he had got there yet.

Q. Who else was there?

A. Just Bridges, and Marty Flaherty and his wife.

Q. Was Fitzsimmons there?

A. He might have been there. Now, that I recollect, Fitzsimmons might have been there.

Q. Anyone else?

(Testimony of Joseph Curran.)

A. He was one of the ones that met us at the plane.

Q. Anyone else? A. I don't believe so.

Q. Was Rose Burlac—B-u-r-l-a-c—there?

A. The only woman that was there was Flaherty's wife.

Q. You are sure that Rose Burlac wasn't there?

A. I am positive.

Q. Do you know who she is?

A. No, I don't know her. I know that the woman you speak of wasn't there, because the only woman that was there was introduced to me as Flaherty's wife.

Q. Did you ever meet Rose Burlac before?

A. No, I can't say that I have.

Q. Did you meet her at any time during this trip? A. I can't say I did. [5241]

Q. Of course, you know that Rose Burlac was the then Secretary of the Communist Party of Rhode Island? A. I don't know.

Q. Huh? A. No, I didn't know.

Q. And you say that she wasn't present at the house, at Flaherty's house, when you and Bridges arrived there? A. No, she was not.

Q. Or at any time during your being there?

A. She might have been in the audience in that meeting. There were a few hundred in the audience.

Q. In Flaherty's house?

A. No, in the meeting. At Flaherty's house there were only—as near as I can recollect there

(Testimony of Joseph Curran.)

were only Bridges, myself, I believe Fitzsimmons was there, and one woman. I remember she complained about feeding so many men.

Q. Was it Flaherty's wife?

A. Mrs. Flaherty.

Q. How do you know?

A. I was introduced to her. I was introduced to her as Mrs. Flaherty, and I don't ask any other questions.

Q. What?

A. And I don't ask any further questions.

Q. Nobody has asked you if you have asked or not.

A. Huh? [5242]

Q. Nobody has asked you if you have.

Presiding Inspector: I know. That isn't the question. Go ahead and ask another question.

By Mr. Del Guercio:

Q. Now, you didn't go with Bridges from New York to Philadelphia, did you?

A. No, I did not.

Q. Do you know who went with Bridges?

A. No, I don't recollect who went with him.

Q. Did you purchase Bridges' transportation from New York to Philadelphia?

A. No, I did not.

Q. Did you arrange for his transportation to Philadelphia?

A. No. He went down in a Ford Sedan, I believe.

Q. Who drove him down?

A. I don't know.

(Testimony of Joseph Curran.)

Q. Bridges also spoke at Baltimore?

A. Yes. I went with him to Baltimore.

Q. Where did you start from?

A. We started from New York.

Q. And who paid for Bridges' transportation to Baltimore?

A. We each bought our tickets on the train.

Q. Bridges bought his own?

A. As near as I can recollect. I'm not too sure.

Q. Are you sure that Innes didn't buy it?

A. It may be. Innes was all over the place. I am not [5243] sure, but I bought my own at the station. I don't know how Bridges' ticket was bought.

Q. For whom was Innes acting around this time?

A. Around that time?

Q. Yes.

A. He might have been acting for the FBI. I don't know.

Q. Are you sure of that?

A. He acted strangely every time we saw him. Every time we saw him he was in on everything.

Q. Were there FBI men there, too?

A. No. I say he "might have been." The LaFollette Committee describes labor spies in that manner.

Q. Was anybody trailing you at that time?

A. Was anybody what?

Q. Have you been trailed?

A. I have been trailed since the day I stepped off the California in 1936. I was trailed, I am sure.

(Testimony of Joseph Curran.)

Q. When Bridges was out there?

A. I was trailed, I am sure.

Q. By whom?

A. Some "G" man, I suspect.

Q. You suspect?

A. They don't come up and tap you on the shoulder and tell who they are. But I am sure that I was trailed.

Q. What were you engaged in? Were you engaging in some crime? [5244]

A. I was engaged in striking for better hours and working conditions.

Q. You hadn't robbed a bank around that time, had you?

Presiding Inspector: What?

Mr. Del Guercio: I am asking him if he had robbed a bank. He said he was being trailed by a "G" man, FBI men.

Presiding Inspector: I wouldn't ask that question.

Mr. Del Guercio: Well, if the Court please, he made the statement that he was being watched by FBI men. They have a purpose in watching people.

Presiding Inspector: You know that he hasn't robbed a bank.

Mr. Del Guercio: Well, I don't know.

Presiding Inspector: Well, everyone else in the room does.

Mr. Del Guercio: He says he was watched.

(Testimony of Joseph Curran.)

There is a purpose in the FBI watching these men.

The Witness: That's right. I was definitely advised that I was watched by the FBI.

By Mr. Del Guercio:

Q. Had you been investigated by the FBI at that time? A. I believe that.

Q. In 1936?

A. No, I don't believe so. Not in open hearing or anything like that. I believe we were investigated, yes.

Presiding Inspector: If the witness really meant that— [5245] I thought that—

The Witness: (Interposing) No. I am quite serious about it, sir.

Presiding Inspector: I didn't realize that. When you said that Innes might be an FBI man, were you serious about that?

The Witness: No, I don't believe Innes would ever be an FBI man. I believe—

Presiding Inspector: (Interposing) That will do. You weren't serious about that when you said he might be an FBI man?

The Witness: I didn't say he "might be an FBI man".

Presiding Inspector: I beg your pardon. Read it back.

(The portion of the record referred to was read by the reporter as follows:

"Q. For whom was Innes acting around this time?

(Testimony of Joseph Curran.)

"A. Around that time?

"Q. Yes.

"A. He might have been acting for the FBI, I don't know.")

Presiding Inspector: Now, you didn't mean that, did you? That was a joke?

The Witness: Well, I didn't mean he was an FBI man.

Presiding Inspector: That is what I say.

The Witness: But I say, according to the LaFollette hearings and other indications since, he may have been working [5246] for the FBI.

By Mr. Del Guercio:

Q. Now, you also made the statement that you were being watched or followed by FBI men at that time? A. That's correct.

Q. Did you mean that?

A. I meant that I was followed by the FBI from the day I stepped off the California in 1936 on March 18th. From that day forward, to practically this day—they may have taken a day or two off, but I have been pretty well followed, and I imagine there is a pretty full record of my movements since that time.

Q. When did you step off the California?

A. March 18, 1936, in New York City.

Q. March 18.

A. No, just a moment. March 16, 1936.

Q. And from that day on you were being followed by FBI men?

A. That's my opinion.

(Testimony of Joseph Curran.)

Q. Huh? A. That's my opinion.

Q. Well, what is your opinion based on?

A. My opinion is based on the fact that things have come up since that prove that.

Q. Well, did you see any FBI men following you? [5247]

A. You don't see them.

Q. Huh? A. You don't see them.

Q. You don't see them?

A. You can't see them or they wouldn't be there, I imagine. They have to be clever.

Q. Well, have you committed some crime then?

A. I say I believe that it was considered at that time a crime to fight for better conditions on the ships. We are accused of being mutineers and what-not.

Q. Well, had you committed a crime against the United States at that time?

A. Not that I know of, nor have I ever committed—

Q. (Interposing): Were you about to commit a crime against the United States?

A. I didn't get that.

Q. Were you about to commit a crime against the United States? A. No, I never have.

Q. Had you told that you were about or engaged in committing a crime against the United States? A. No. [5248]

Q. And you were being followed by FBI men?

A. I believe so. I believe so very definitely.

Q. You knew that the FB—(Pause). Were you on the West Coast at any time during 1934?

(Testimony of Joseph Curran.)

A. No.

Q. For any period of time?

A. Over what period of time?

Q. During the year 1934?

A. I was not.

Q. Were you paid off any ship during 1934 at a West Coast port? A. No.

Q. Did you have shore leave on the West Coast during the year 1934?

A. I don't remember. If I was on the Virginia, I believe, either the latter part of '33 or the winter of '33-34 and if I got to the West Coast on that ship, you can bet I got shore leave.

Q. And for how many days?

A. For as long as the ship was in.

Q. And how long was the ship in?

A. I am not too sure. It might have been in four, five, or six days.

Q. Was that in San Francisco?

A. If she came to the West Coast she stopped at San [5249] Diego, San Pedro and San Francisco.

Q. And you got shore leave at all those places?

A. Yes, sir. With that gang that we have got down there, we did.

Q. Were you in San Francisco on about October, 1936, just before the strike that you talked about? A. I believe I was.

Q. And how did you get to the West Coast at that time?

A. I drove out in an old broken down gray Packard.

(Testimony of Joseph Curran.)

Q. You didn't get out here on a ship in any event, did you?

A. No. The records would show that. No. I came overland in an automobile.

Q. And what were you doing in San Francisco at that time?

A. Probably meeting with a lot of trade unionists, discussing the possibilities of a maritime strike and what we on the East Coast could do to help them.

Q. Whom did you have such meetings with?

A. Possibly the leaders of the various unions, maybe Harry Bridges with the longshoremen, firemen, stewards.

Q. Let us confine ourselves to the meetings in which Harry Bridges was present.

A. I don't remember clearly how many meetings there were. I believe one meeting was between Harry Bridges, myself and McGrady of the Labor Department in a hotel. Another meet- [5250]-ing was with the General Strike Committee, of which they had a whole coast—or General Negotiating Committee, I mean, of which there were about 25 or 30 members, I guess, from the whole coast. They were negotiating at that time.

Q. Here! Let's get this clear first. When did you arrive in San Francisco in 1936?

A. I'm not too sure of the date. Somewhere around the 24th of October.

Q. October 24?

A. Somewhere around there.

(Testimony of Joseph Curran.)

Q. 1936? A. Yes.

Q. You came to San Francisco? A. Yes.

Q. Anybody with you? A. Yes.

Q. Who?

A. A man by the name of David Ramos.

Q. David Ramos?

A. Ramos; R-a-m-o-s.

Q. Anyone else? A. That's all.

Q. How long did you remain in San Francisco?

A. I think I remained about four days.

Q. Until about October 27th?

A. Or 28th. [5251]

Q. Until about October 27th or 28th?

A. Yes.

Q. You stayed all that time in San Francisco?

A. Yes.

Q. Between October 24th and October 28th?

A. Yes. That's an approximate date, that arrival date, you know. I am not sure.

Q. Did you stop at any hotel? A. Yes.

Q. Where did you stop?

A. The Lincoln Hotel.

Q. And did you register there?

A. Definitely.

Q. Under your own name?

A. Definitely.

Q. Did Ramos register there also?

A. Yes. I believe Ramos stayed there.

Q. Under that name. David Ramos?

A. Yes.

(Testimony of Joseph Curran.)

Q. Did you hold any meetings in your hotel room at the Lincoln Hotel?

A. Sure! I met with the ship's delegates from the Dorothy Luckenbach. I met with some seamen off of the—I forget just what other ships were in, but I had quite a few seamen up off the ships, [5252]

Q. Were you an official of any union at that time?

A. No. I was the Chairman of the Seamen's Defense Committee.

Q. Chairman of the Seamen's Defense Committee. That's of the Seamen's Defense Committee that originated in the spring strike?

A. Yes.

Q. And that strike was over? A. Yes.

Q. You were not chairman of this Joint Strike Committee, the latter strike of 1936?

A. It hadn't been set up yet. There was no strike yet.

Q. And was David Ramos also a member of the Seamen's Defense Committee?

A. No. David Ramos was a rank and file sailor who had sailed with me on the California and who went with me so as to drive the car. I couldn't drive at that time. Ramos—I had just learned how to drive, I mean. Ramos went along to help drive the car and he also went along with me because two men are better in a fight than one man sometimes.

Q. Is that why you have others along with you?

(Testimony of Joseph Curran.)

A. Dave? That's why I had Dave with me?

Q. Yes?

A. Yes, because sometimes we might run into trouble and we would have to defend ourselves.

Q. You can't take care of yourself? [5253]

A. I might be able to take care of myself.

Q. You need somebody else to go along with you at all times?

A. Not all the time.

Q. Do you have bodyguards here as Vice-Presidents or other officers?

A. No. I haven't had a bodyguard since I came ashore from the California.

Q. Hub?

A. I don't need one now, neither.

Q. Hub?

A. And I don't need one now.

Q. Has anyone said or indicated that you do?

A. No.

Q. Hub? Are you afraid of anything right now?
A. No.

Q. How many meetings did you have in this hotel room in which Bridges was present?

A. Well, I will tell you. Oh, Bridges? I don't believe I had any meetings at all.

Q. Bridges never came to visit you in this hotel?
A. I don't think so.

Q. Did you know him then?

A. Yes, I knew him. Yes. Very definitely.

Q. Did you attend any meetings in San Fran-

(Testimony of Joseph Curran.)

cisco any- [5254] where during that period of time with Harry Bridges?

A. Oh, yes, yes, I attended the Negotiating Committee meetings, which was a meeting composed of the Negotiating members of the Union from Portland, Seattle, 'Frisco and 'Pedro. They met here to negotiate with the shipowners. Harry Bridges was a member of that Negotiating Committee.

Q. In what capacity did you go before them?

A. Just as an observer and a guest.

Q. What kind of an observer?

A. From the East Coast.

Q. Huh? Did you have any business there?

A. Now, just a minute! Let's get this clear. Not at the actual negotiations with the shipowners, but at the meetings of the Negotiating Committee.

Q. Yes.

A. After they returned from the shipowners, you see.

Q. You said you might have been there as a guest. A. Yes.

Q. Who invited you?

A. Well, I was on very friendly terms with every member of the Negotiating Committee in every trade union on this coast.

Q. Did Harry Bridges tell you?

A. The whole Negotiating Committee invited me, including Harry Bridges. We were friendly with all unions. [5255]

Q. Were you friendly then with Harry Bridges?

(Testimony of Joseph Curran.)

A. Yes. Still friendly with him.

Q. Was Mervyn Rathborne there?

A. Yes, Mervyn Rathborne was there.

Q. Are you friendly with Mervyn Rathborne?

A. Yes. Still friendly with him.

Q. How long have you known Mervyn Rathborne?

A. Since that time in 1936.

Q. Did you know him then as a member of the Communist Party? A. No.

Q. Huh? A. No, I did not.

Q. When did you find out that he was a member of the Communist Party?

A. I haven't found out yet.

Q. Huh? A. I haven't found out.

Q. Did you meet Roy Hudson in San Francisco at that time? A. No, I did not.

Q. October, 1936? A. No; I did not.

Q. Did you attend any meetings in which Roy Hudson was present? [5256]

A. No, I did not.

Q. Did you attend any meetings in which you and Harry Bridges, among others, and Roy Hudson were present? A. I did not.

Mr. Del Guercio: Do you wish to recess? I won't be able to finish.

Presiding Inspector: You won't be able to?

Mr. Del Guercio: No.

Presiding Inspector: I had hoped that you could get through with this witness so as to advance the matter. But you can't do the impossible.

(Testimony of Joseph Curran.)

Mr. Grossman: Before we adjourn, with respect to that letter that came in from Mr. Meyers, it is quite obvious from the letter that he has not given the full information we request. It may be that he can't.

Presiding Inspector: Perhaps there isn't anything more.

Mr. Grossman: But obviously another letter has to be written to him.

Presiding Inspector: Very well. You may write the letter.

Mr. Grossman: You suggest that I write the letter?

Presiding Inspector: Yes.

Mr. Del Guercio: I haven't seen it.

Presiding Inspector: It merely refers to three statutes. Of course, we will take judicial notice of those statutes; everyone in the Court room.

[5257]

Mr. Del Guercio: I should like to make an inquiry at this time as to whether or not Dr. MacMickle has submitted his diplomas?

Presiding Inspector: He has not.

Mr. Del Guercio: He was requested to do so. May the record show that he hasn't complied with the request?

Presiding Inspector: I don't know about the request, but the record may show that I have received nothing.

We will take a recess until ten o'clock.

(Testimony of Joseph Curran)

(Whereupon at 4:30 o'clock P. M. an adjournment was taken until Tuesday, May 27, 1941 at 10:00 o'clock A. M.) [5258]

Court Room 276,
Federal Building,
San Francisco, California,
May 27, 1941.

Met, pursuant to adjournment, at 10:00 A. M.
[5259]

Proceedings

Presiding Inspector: Now, Mr. Del Guercio, you may proceed.

JOSEPH CURRAN

called as a witness on behalf of the Alien, having been previously duly sworn, testified further as follows:

Cross Examination (Resumed)

By Mr. Del Guercio:

Q. You testified yesterday that you joined the Marine Workers Industrial Union and that you received a membership book, is that correct?

A. That is correct.

Q. Is this—

Mr. Gladstein (Interposing): May I see it before you show it to the witness?

Mr. Del Guercio: Yes; no objection.

(Testimony of Joseph Curran.)

(The membership book referred to was passed to Mr. Gladstein.)

Mr. Gladstein: Mr. Del Guercio has handed me a book which cannot be identified as to year.

Presiding Inspector: Let the witness identify it.

Mr. Gladstein: It apparently is—Mr. Del Guercio tells me it is not in evidence. And, as I say, by an examination of it you can tell that you can't identify it as to year. [5260]

Presiding Inspector: Perhaps the witness can; we don't know; perhaps he can't.

By Mr. Del Guercio:

Q. I show you what purports to be a membership book of the Marine Workers Industrial Union, and ask you to look at it and see if it is the same as the one you received when you joined the Marine Workers Industrial Union?

A. (Examining book.)) It may be.

Q. You can't state definitely whether or not it is?

A. No.

Q. You only had your membership book in the Marine Workers Industrial Union for several years, is that correct?

A. That is not correct.

Q. For how many years did you have it in your possession?

A. I didn't have it in my personal possession more than about a month.

Q. And you didn't have—where was it?

A. That is, on my person.

(Testimony of Joseph Curran.)

Q. Where was the book?

A. It was in a trunk.

Q. It was under your control all the time?

A. Well, it was up to a point.

Q. And you can't say—you want this court to believe that you can't identify this book as being similar to the one you had?

Mr. Gladstein: I object to the form of the question. [5261]

Presiding Inspector: I will allow it.

Mr. Gladstein: Then I want to state the grounds of my objection.

Presiding Inspector: Certainly.

Mr. Gladstein: I object to the question because of the form in which it is placed, it is argumentative and improper. It also asks for something that has been asked and answered, not once, but several times.

Presiding Inspector: I will allow it.

The Witness: Repeat the question.

Mr. Del Guercio: Read the question.

(The question referred to was read by the reporter as above recorded.)

Of course, this isn't a court in the first place, but that is a mere manner of speech.

Mr. Gladstein: It isn't the use of the word "Court" that I object to.

Presiding Inspector: You don't object to that "You still believe"——

Mr. Gladstein: (Interposing): The question asked was "Do you want this Court to believe"——

(Testimony of Joseph Curran.)

Presiding Inspector: Is that what you object to?

Mr. Gladstein: I object to the form of the question.

Presiding Inspector: You object to the form. We have used that manner of speech. That merely means it is still your testi- [5262] mony. With that explanation I will allow it.

Is it still your testimony that you can't identify this book as similar to the one you received?

The Witness: No, I can't identify it as similar to the one I received; I am not sure.

By Mr. Del Guercio:

Q. Well, did your book state, the one you received, "Membership Book of the Marine Workers Industrial Union"?

A. I believe it did.

Q. Did it also state, as it states in this book, "Affiliated with the Trade Union Unity League"?

A. It might have.

Q. And did it have the preamble as this book has on page 3?

A. It might have.

Q. And was it similar—is it similar to the preamble in this book, reading as follows:—

Mr. Gladstein (Interposing): I will object to that as incompetent, irrelevant and immaterial.

Presiding Inspector: Both sides have done this right straight along.

Mr. Gladstein: Have done what?

Presiding Inspector: Have read an item and asked him whether that is the fact.

(Testimony of Joseph Curran.)

Mr. Gladstein: Your Honor didn't permit us to read an [5263] item which involved the preamble to the constitution of the American Federation of Labor.

Presiding Inspector: Which was entirely incompetent.

Mrs. King: Yes, it was read into the record.

Mr. Myron: It was read into the record.

Mr. Gladstein: I am sorry, your Honor.

Mrs. King: It was read into the record when Mr. Gladstein was not in Court.

Mr. Gladstein: I am sorry, your Honor.

Presiding Inspector: I might have ruled it out, but if I didn't then it is here.

Read the question, please.

(The question referred to was read by the reporter as above recorded.)

By Mr. Del Guercio:

Q. (Continuing): ——"The Marine Workers Industrial Union is organized to unit all workers in the marine industry and lead them in their struggles against the employers for better working and living conditions and for the ultimate freedom from wage slavery. This fight between—"

Presiding Inspector (Interposing): I have heard this before, haven't I? Go ahead.

Mr. Del Guercio: Sir? —I don't know whether you have or not.

Mr. Gladstein: Several times. [5264]

Mr. Del Guercio: You are familiar with it?

Mr. Gladstein: I have heard you speak about it.

(Testimony of Joseph Curran.)

Presiding Inspector: Go ahead.

By Mr. Del Guercio:

Q. (Continuing): "——This fight between the marine workers and the shipowners, bosses, etc., is only one front of the class struggle which rages ceaselessly between the whole working class and the whole class of employers—the capitalists. Victory in this struggle can be won only by the most relentless, militant and revolutionary struggle of the whole working class.

"For this reason, the M. W. I. U. does not limit itself to narrow craft interests in the manner of the A. F. of L. Unions, but considers itself always as an integral division of the forces of the working class. It rejects and condemns the treacherous 'class-collaboration' policy of the A. F. of L. which seeks to delude the workers into believing that it is possible for them to live 'in peace' with the capitalists, and betrays them into surrendering their organizations to the control of their employers.

"While striving constantly for the immediate betterment of all living and working conditions of the marine workers, the M. W. I. U. does not limit itself to immediate economic demands alone, but declares that the liberation of the marine [5265] workers from exploitation is only one part of the revolutionary struggle of the whole working class against the capitalist system.

"The M. W. I. U. urges upon all its members the most active participation in the general struggles of the working class, economic and political,

(Testimony of Joseph Curran.)

directed toward the goal of the establishment of a revolutionary workers' government."

Is that the preamble in your book that you had?

Presiding Inspector: Was that the preamble in your book? A. It might have been.

By Mr. Del Guercio:

Q. And was your book signed by R. B. Hudson for the National Committee?

A. It might have been.

Q. You are not sure? A. No.

Mr. Gladstein: I will object to that.

Mr. Del Guercio: I offer this in evidence.

Presiding Inspector: You are objecting to his saying he is not sure?

Mr. Gladstein: No. I object to the question being asked half a dozen times, your Honor.

Presiding Inspector: Oh, every one has trespassed over that rule.

Mr. Del Guercio: I offer this book in evidence.

[5266]

Mr. Gladstein: I will object to it. No foundation has been laid.

Presiding Inspector: Very well. It may be marked for identification.

(The document referred to was marked Government's Exhibit No. 276 for identification.)

By Mr. Del Guercio:

Q. When was the NMU organized?

A. You mean organized or set up?

Q. Created, set up or whatever you call it?

(Testimony of Joseph Curran.)

A. It was created on May the 7th or 8th, 1937.

Q. Was there a convention about that time?

A. The convention was held in July.

Q. Were you one of the original organizers?

A. Yes.

Q. And where was the convention held?

A. In New York City.

Q. And were delegates appointed or elected or selected to this convention?

A. They were elected from the ships and from meetings ashore.

Q. From the various ships? A. Yes.

Q. And were you elected as a delegate?

A. Yes. [5267]

Q. From what ship? A. From ashore.

Q. You weren't on a ship at that time?

A. We elected delegates from ships and meetings ashore. Our constitution is very clear on that point.

Q. Did it have a constitution?

A. No. I say the constitution now is very clear on it and we worked on that basis.

Q. Who drew up the constitution for the NMU?

A. The constitution was drawn up by the convention.

Q. Was anyone appointed to draw it up?

A. No one was appointed to draw up a constitution.

Q. Who drafted the constitution?

A. No one drafted a constitution.

Q. How did it come into existence?

(Testimony of Joseph Curran.)

A. The men from the ships and the meetings up and down the coasts sent in suggested parts of constitutions.

Q. And to whom did they send in these suggestions?

A. They sent them in to us in New York

Q. Was there a committee set up for the purpose of drawing up a constitution? A. Yes.

Q. Were you on that committee? A. Yes.

[5268]

Q. And who else was on the committee?

A. Tommy Raye and our attorney, William Standard.

Q. Is he an attorney, too? A. He is.

Q. Is he also a Communist? A. He is not.

Q. And how about Tommy Raye?

A. He's a seaman.

Q. Huh? Well, is he a Communist, too?

A. I don't know.

Q. So you, Standard and Tommy Raye drafted or set up the constitution for the NMU, is that correct? A. That is not true.

Q. Well, did anyone else?

A. The convention set up the constitution..

Presiding Inspector: He means you presented it to the convention.

The Witness: We did not present it to the convention. We compiled the various suggestions that came in and, as is done in any convention, brought them to the convention in an organized manner, placed them—

(Testimony of Joseph Curran.)

Presiding Inspector: (Interposing): That is what he is asking you. Didn't you understand that?

The Witness: No, I didn't.

Presiding Inspector: That is what he asked you. [5269]

The Witness: I want to make that clear.

Presiding Inspector: Why, certainly. But that is what he was asking you. Then you did organize it and present it to the convention, brought it before the convention?

The Witness: We brought it before the convention.

By Mr. Del Guercio:

Q. When you say "we" you mean you, Tommy Raye and Standard?

A. Standard didn't attend the convention, no. He helped Tommy Raye and myself compile the material that came in. We brought it to the convention.

Q. Did either you or Tommy Raye put into the constitution any suggestions of your own?

Mr. Gladstein: I object upon the ground that is immaterial.

Presiding Inspector: Oh, don't you think we have gone far enough? [5270]

By Mr. Del Guercio:

Q. Did you ever attend a meeting with Thomas Raye in New Orleans?

A. I attended a convention in New Orleans. Thomas Raye might have been there. He was a seaman.

(Testimony of Joseph Curran.)

Q. Did you attend a meeting there in which Tommy Raye and one or two others were present?

A. I had lunch in a restaurant there with Tommy Raye. That is the only meeting I had with him. I think there were two or three others there.

Q. Who were the others?

A. I am not too clear as to who they were.

Q. Did you have a meeting with Tommy Raye in the Jung Hotel in New Orleans? A. No.

Q. What? A. No.

Q. At any time?

Presiding Inspector: You mean at any time during the convention?

Mr. Del Guercio. Yes. A. No.

By Mr. Del Guercio:

Q. Or at any time while you were in New Orleans?

A. Well, Tommy Raye was a seaman attending a convention. [5271] I also was a seaman. So there is no doubt that one seaman spoke to the other, and he might have spoken to me in several places, bars, restaurants—if you mean that—but as far as a meeting is concerned, no.

Q. You testified before the Dies Committee, didn't you? A. I didn't hear that.

Q. Did you testify before the Dies Committee?

A. Yes.

Q. Weren't you asked by the Dies Committee, Mr. Whitley, whether you had a meeting with Thomas Raye in your New Orleans in the Jung Hotel?

(Testimony of Joseph Curran.)

A. I might have been. I was asked millions of questions.

Presiding Inspector: Just answer the question.

A. (Continuing): I am not qualified to say exactly what I said at the Dies Committee hearing. Much time has passed. Many questions were asked. I would like to see the record before I am asked a question on it. Otherwise, I will have to say I don't know.

By Mr. Del Guercio:

Q. You have said that, I understand.

A. Yes.

Presiding Inspector: When was that?

The Witness: When I testified before the Dies Committee?

Presiding Inspector: Yes.

The Witness: I believe it was two years ago; somewhere [5272] between a year and a year and a half ago.

Presiding Inspector: Not this year anyway?

The Witness: No; it was quite some time ago.

By Mr. Del Guercio:

Q. Do you know Clarence Applewaite?

A. Yes. He was an official in what was once our Gulf District of our Union.

Q. Now, were you asked this question by Mr. Whitley of the Dies Committee:

"Have you ever had a meeting with Thomas Raye and Clarence Applewaite of the Gulf District Committee in the Jung Hotel in New Orleans?"

(Testimony of Joseph Curran.)

A. I might have.

Q. And was not your answer, "Yes"?

A. It might have been.

Q. Then did you have a meeting with Thomas Raye in New Orleans?

A. I might have had a meeting there; I am not sure.

Q. What was the purpose of that meeting?

A. Well, as seamen, I imagine, as Chairman of the Convention, and as a seaman—Applewaite as an official, and Tommy Raye as a seaman, I believe we had a legal right to meet, and we might have met; I am not sure. But I would say we would meet any time we wanted to.

Q. Was this Tommy Raye a delegate to this convention in [5273] New Orleans?

A. No. There were hundreds of seamen that attended the convention that were not delegates.

Q. How did you go to New Orleans?

A. Oh, well, now—let me see. I believe I was in New Orleans for weeks before the convention took place.

Q. How did you get there—did you get there on a ship or overland?

A. No; I flew.

Q. You flew? A. Yes.

Q. Well—

A. (Interposing): By plane, of course; not with wings.

Q. I don't believe that you have—

Presiding Inspector: Ask the next question.

(Testimony of Joseph Curran.)

By Mr. Del Guercio:

Q. And how did Tommy Raye get down there?

Mr. Gladstein: I think that is immaterial and I object to it.

Mr. Del Guercio: It is very material. Tommy Raye, the evidence shows here, is a well-known Communist and working for the Communist Party.

Mr. Gladstein: I challenge that statement. The evidence shows no such thing. I still object to the question on the ground that it is immaterial, your Honor; also that it calls [5274] for the opinion and conclusion of the witness on a matter that is—

Presiding Inspector: If he knows he may answer.

A. I don't know.

By Mr. Del Guercio:

Q. Do you know if Tommy Raye was working as a seaman before and after that meeting?

A. I don't know.

Q. Do you know how long it had been since Tommy Raye had even seen a ship—

Mr. Gladstein: (Interposing): I object to the question.

By Mr. Del Guercio:

Q. (Continuing): At the time of this meeting in New Orleans?

Mr. Gladstein: The question is so ridiculous that the Court should sustain an objection to it.

Presiding Inspector: If he knows; if he doesn't know he can say so.

(Testimony of Joseph Curran.)

Mr. Gladstein: How long it has been since another man saw a ship?

Mr. Del Guercio: He said he was a seaman.

Presiding Inspector: You know what he means, what counsel means.

Mr. Gladstein: I don't know what he means. I know what he said. I think the question is ludicrous and I object to it. [5275]

Mr. Del Guercio: Counsel knows what I mean exactly.

Presiding Inspector: He was a seaman; it is perfectly evident that he means how long since this man was employed as a seaman.

I will take the question, but it is very faintly relevant. I don't know how—it is preliminary, I suppose. I will allow it.

A. I don't know.

By Mr. Del Guercio:

Q. How do you know that Tommy Raye is a seaman?

A. Well, he is a member of the NMU and he produced discharges, passed qualifications to enter the union the same as other seamen.

Q. Do you know of any ship that he has been on since, say, 1934?

A. No, I don't.

Q. Have you ever seen any discharge from any ship in the name of Thomas Raye?

A. No; I don't make a practice of looking at people's discharges. We have a membership committee that does that, and there is regular membership procedure.

(Testimony of Joseph Curran.)

Q. And when I asked you if you knew that Tommy Raye was a Communist, and you said, "No. He is a seaman." upon what did you base your answer that Thomas Raye was a seaman?

Mr. Gladstein: I think that has been asked and answered. [5276]

Presiding Inspector: I think he has answered that; I think he has answered that.

Mr. Del Guercio: I will withdraw the question.

By Mr. Del Guercio:

Q. Did you ever make a tour of the Gulf Ports at the termination of the 1936 strike? A. Yes.

Q. And with whom did you make that tour?

A. I made it with Howard McKenzie.

Q. Anyone else?

A. William C. McCuiston and Joe Cain.

Q. That is the same William C. McCuiston concerning whom you testified yesterday?

A. There is only one McCuiston.

Q. Who invited McCuiston to go along with you on this tour?

A. I am not too clear on how that committee was set up; but I believe we had a meeting in New York after the spring strike and it was decided that a group of us should go to the Gulf and clarify the spring strike to the men in the Gulf. As you know, the strike did not penetrate the Gulf. It was confined mostly around New York and Philadelphia.

Q. Would you say that McCuiston muscled in?

A. I didn't say that.

(Testimony of Joseph Curran.) —

Q. And how many ports did you tour with McCuiston? [5277]

A. I think—I didn't tour the ports with McCuiston alone. I toured the ports with about four men, among which was William McCuiston.

Q. And how many ports did you go to with William McCuiston?

A. I would say four or five.

Q. How did you travel?

A. By automobile.

Q. A jalopy too?

A. It was a jalopy; yes, sir.

Q. Who drove the car?

A. We took turns driving it.

Q. How long were you with McCuiston at that time?

A. I am not too sure whether he left us on that trip down in the Gulf, or whether he stayed down there, or whether he came back. I am not too sure.

Q. And did that committee submit reports?

A. No. You see—we submitted reports through the medium of the Pilot, which we were putting out, the paper, and so forth.

Q. Who sent in the reports?

A. And through the medium of small meetings we called in New York and members coming off ships. We put out bulletins on it; yes.

Q. Under whose name?

A. Under the Seaman's Defense Committee.

[5278]

(Testimony of Joseph Curran.)

Q. Did you sign your name to any of the reports submitted to the Pilot?

A. I might have.

Q. Did McCuistion?

A. He might have been on there.

Q. Now, you know that McCuistion went to Spain to fight for the Loyalist Cause?

A. I know he went to Spain.

Q. Did you ever contribute any money to the Loyalist Cause? A. Yes; sure.

Q. Who solicited your contribution?

A. At the meetings.

Q. In meetings of the then NMU?

A. Yes; took up collections on the floor.

Q. While you were present?

A. We bought an ambulance from collections.

Q. You bought an ambulance. At whose suggestion was the ambulance bought?

A. I think a resolution was drafted, and I think I participated in it, and we presented it on the floor of the meeting in New York, and it went up and down the coast.

Q. Who presented it on the floor?

A. I believe I did. I am not too sure; I believe I did.

Q. Did you make a speech? [5279]

A. I usually did; yes. We took up at the same time the Chinese and Spanish situations.

Q. We are talking only about the Spanish Loyalist Cause at the present time. You say you made a speech on behalf of the Loyalist Cause?

(Testimony of Joseph Curran:)

A. I made many speeches.

Q. At whose suggestion did you make these speeches?

A. At my own suggestion.

Q. Tommy Raye didn't have any thing to do with it.

A. I didn't need anybody to suggest it.

Q. Did Roy Hudson?

A. No one.

Q. Did either Roy Hudson or Tommy Raye propose to do that thing?

A. No one proposed it but myself, as a member and official of the Union. [5280]

Q. You were what at the time?

A. At that time?

Q. Yes.

A. I believe I was general organizer. I'm not too sure.

Q. Did you purchase an ambulance?

A. We certainly did.

Presiding Inspector: He said that.

By Mr. Del Guercio:

Q. And was it sent to Spain?

A. There is a photograph in our official organ and you can have it. It shows me standing by the ambulance that we bought.

Q. Is that why you admit it?

A. No.

Mr. Gladstein: I object to that question, your Honor. I think you should caution counsel.

Presiding Inspector: That is one of the few occasions in which you have had a rather frivolous question in lighter vein.

(Testimony of Joseph Curran.)

Mr. Gladstein: That question was in frivolous vein?

Presiding Inspector: I think so. Didn't you think so?

Mr. Gladstein: Do you want my answer?

Presiding Inspector: I don't care about it.

By Mr. Del Guercio: [5281]

Q. Did you ever participate in any May Day parades? A. Yes.

Q. Where? A. Where?

Q. Yes. A. New York

Q. Every May Day?

A. No. I think I was in two.

Q. Were you in a May Day parade in New York on May 1, 1938?

Mr. Gladstein: I object to this as absolutely immaterial, unless Mr. Del Guercio claims—

Presiding Inspector: (Interposing) I don't see any point in it.

Mr. Del Guercio: It is common knowledge, your Honor, that May Day is Red Day.

Presiding Inspector: It is not common knowledge to me.

By Mr. Del Guercio:

Q. What is the purpose of May Day celebration, Mr. Curran?

A. As I understand it, in my limited knowledge,—

Q. (Interposing) You have a limited knowledge?

(Testimony of Joseph Curran.)

A. Yes, like all humans I do—I believe during the—about 50 years ago the American Federation of Labor, the [5282] Knights of Labor and the National Miners Union, I believe, originated the practice of marching on May Day and it was considered labor's day.

Q. Wasn't it under the auspices of the Communist Party in New York?

A. Not that I know of.

Q. Under whose auspices was that particular May Day parade?

A. Under a joint committee known as the May Day Parade Committee, and there were many trade unions in that committee as far as I know.

Q. Was Tommy Rave in that committee?

A. On the committee?

Q. Yes. A. I don't know.

Q. Was Roy Hudson?

A. Which one are you speaking about? Every year had a different committee.

Q. 1938. A. I don't know.

Q. Would you say that they weren't?

A. I don't know. I am not qualified to say. I may have been on the committee myself. I don't know.

Q. Was Dave Ramos?

A. I don't know who was on that committee.

Mr. Gladstein: I object to this line of questioning [5283] as immaterial, your Honor. The next thing we can expect is to find out whether the children in the City of New York were dancing around

(Testimony of Joseph Curran.)

a May Pole. Such a ridiculous line of examination for Mr. Del Guercio to adopt!

Mr. Del Guercio: Are you through, Mr. Gladstein? Perhaps you could suggest some questions.

Presiding Inspector: Go ahead, Mr. Del Guercio. Ask the next question.

Mr. Del Guercio: I admit that you know the Communist Party better than I do.

Presiding Inspector: Go ahead, Mr. Del Guercio.

By Mr. Del Guercio:

Q. Did you have anything, or were there any collections made in Boston, Philadelphia and Baltimore places where Bridges spoke in 1936?

A. Oh, yes. We never missed taking up a collection at a meeting.

Q. Were those collections under your direction?

A. No. They were under whoever was organizing and handling the meeting.

Q. Did you have anything to do with the collections of the money at those meetings? A. No.

Q. Did you pay Bridges' transportation back to the West Coast? [5284]

A. I don't know. I don't think so.

Q. Do you know who did? A. No.

Q. Do you know if Peter Innes did?

A. I don't know.

Q. Do you know if David Leeds did?

A. No.

Q. Do you know if the Communist Party paid Bridges' transportation back to the West Coast?

(Testimony of Joseph Curran.)

A. No, I don't.

Q. Did you see Harry Bridges just before he left for the West Coast? A. Going home?

Q. Yes.

A. Yes. I saw him about, I guess, three or four hours, something like that, before he left for the Coast.

Q. And was there anyone else present?

A. I don't know just who was present. I think there were about three or four of us there. I think Meriweather was there, I think a couple of Baltimore seamen were there and myself. We were in a car. I don't know whether we took him to the airport or just where we left him. That's not too clear. There are too many things—too many things have taken place in the past few years to be too specific on those things.

Mr. Del Guercio: Do you mind if I consult for a few [5285] minutes?

Presiding Inspector: Yes.

By Mr. Del Guercio:

Q. Have you ever been a member of the American League for Peace and Democracy?

A. Yes.

Q. When did you join it?

A. I joined up there in Madison Square Garden at a meeting.

Q. When? A. I'm not too sure when.

Q. How many years ago?

A. I think it was 1938.

(Testimony of Joseph Curran.)

Q. And how long did you continue a member of that organization?

A. I don't know. I guess I'm still a member of it.

Q. Who solicited your membership?

A. Oh, right there a couple of women there asked me to join right there, and I signed a card on the platform. I think they took a photograph of it. That photograph is a matter of record at the Dies Committee, I think.

Q. And were you ever a member of the League Against War and Fascism?

A. I don't believe so. I don't know. If that's the same thing, I suppose I was, if it's the same one. But if not, [5286] I don't know.

Q. Did you join it twice or just once?

A. No, just that once.

Q. Did you serve on any committees of the American League—

A. (Interposing). No, I didn't.

Q. (Continuing) for Peace and Democracy?

A. I don't think so.

Q. Were you appointed to any committees?

A. I don't believe so.

Q. Does your name appear on any committees of that League? A. I don't know.

Q. Are you also a member of the American Peace Mobilization? A. One of the founders of it.

Q. Who helped you to found it?

A. Oh, a great mass-delegated meeting in Chicago last year.

Q. Were you a delegate?

(Testimony of Joseph Curran.)

A. Yes. I was Chairman of one of the panels.

Q. How were you selected as a delegate?

A. As the President of the NMU and as our membership—

Q. (Interposing): The membership or just the officials of the NMU? [5287]

A. Well, our membership has been on record in favor of A.P.M.

Q. Well, was there a vote taken? A membership vote taken? — A. No, there was not.

Q. How were you selected as a delegate to the American Peace Mobilization, Mr. Curran?

A. By our National Council.

Q. By the National Council. And who paid for your transportation from New York to Chicago and for your expenses?

A. Our organization paid my expenses to Chicago.

Q. The Union?

A. That's right. It appears in the records of the Union.

Q. And you say—

A. (Interposing): We had 75 other delegates too.

Q. You say you were one of the organizers of the American Peace Mobilization. Did you conceive this American Peace Mobilization?

A. I contributed my small part towards it, yes.

Q. In what way?

A. Well, there were about—I guess, about 50 or 60 of us met in Chicago.

(Testimony of Joseph Curran.)

Q. Before you went to Chicago? [5288]

A. I can't name all of them.

Q. Before you went to Chicago. In New York?

A. Well, the idea was conceived through consultation with Union leaders.

Q. Well now, —

A. (Interposing): Church leaders and others.

Q. Let me have these various meetings or consultations that you had in which the American Peace Mobilization was conceived.

A. I can't give you all of them. I don't know all about that. That's too much. I met with several trade union leaders.

Q. Who are they?

A. Many of them. Too many to mention.

Q. Can you give me the names of some?

A. I can give you a few.

Q. Will you do it?

A. Yes.

Q. Where this American Peace Mobilization was discussed.

A. Oh, we had so many meetings on it, it's very difficult to mention all the meetings.

Q. You can't give me the names of a single person?

A. I can yes. I told you I can.

Q. Was Tommy Raye one of them? [5289]

A. Tommy Raye, no. He is not a Union leader.

Q. Mink? A. No.

Q. Hudson? A. No.

Q. Had nothing to do with the organizing of the American Peace Mobilization?

A. Not that I know of.

(Testimony of Joseph Curran.)

Q. You conceived it, didn't you? You were one of the organizers? A. That's correct.

Q. Was it a creature of your own mind, this American Peace Mobilization, or did someone suggest it to you?

A. Well, I guess it was partly a creature of my mind and many other trade union leaders' minds and other progressive people throughout the country.

Q. Other what?

A. Other progressive people throughout the country.

Q. Well, how did you come about to conceive this American Peace Mobilization?

A. Well, we believe—

Q. (Interposing): You. I am not talking about anybody else. A. "I" believe— [5290]

Q. (Interposing): Yes.

A. (Continuing): —"I" believe that there was a great deal of danger in all the attacks against trade unions, the complete disregard of civil liberties, the constant attacks against minority groups and others, that it was necessary for the trade unions and other organizations to get together.

Q. Well, in what way?

A. In order to defend these things.

Q. Did the American Peace Mobilization have to do with trade union matters?

A. Well, the American Peace Mobilization is as much interested in the defense of Democracy at home as it is any place else, and we believe that we are rapidly losing it here. And this is an evidence of it.

(Testimony of Joseph Curran.)

Q. Is it also in Soviet Russia?

A. What? I wouldn't know about that. I am not qualified to speak on Soviet Russia. I think you will have to ask them.

Q. Have to ask who?

A. The people in Soviet Russia, not me.

Q. Where did you meet to organize this, before going to Chicago?

A. Well, our New York group, for example—our New York group—

Q. (Interposing): All right. Now you have a group [5291] in New York. Let me have the names of some of that group.

A. Good!

Q. All right.

A. The President of the Transport Workers Union, Michael Quill; Abraham Flaxner; The American Radio Operators. I can name a lot of them for you.

Q. You just mentioned one name.

Presiding Inspector: Oh, no. He mentioned several.

A. I mentioned three names.

Presiding Inspector: Let the reporter read them.

(The answer referred to was read by the reporter as above recorded.)

By Mr. Del Guercio:

Q. All right. Name some more, Mr. Curran.

A. Joe Curran of the NMU.

Q. That's yourself? A. That's right.

Q. Anyone else?

(Testimony of Joseph Curran.)

A. Reid Robinson of the Mine, Mill & Smelter Workers, and several more.

Q. Is that all the names you can give?

A. Several more. I can't just think of them off-hand.

Q. Well, name them all.

A. I can't. There were too many. [5292]

Q. And how often did this group meet to discuss this American Peace Mobilization?

A. Well, we met on all questions, so I guess we met on that one several times, too.

Q. Where did you meet on the question of organizing the American Peace Mobilization?

A. We might have met in the executive offices of the NMU; we might have met in the executive offices of the Transport Workers Union; we might have met in the offices of any of the unions, and we probably did meet in all of them.

Q. Probably did meet in all of them?

A. That's right.

Q. Did you meet anywhere other than those three places you have mentioned?

A. Not that I know of. We might have met in a big place like Manhattan Center, and I believe we did have a meeting in Manhattan Center.

Q. Did you ever meet in the Communist Party headquarters in New York?

A. I don't know where it is.

Q. You have never been there?

A. No, I haven't.

(Testimony of Joseph Curran.)

Q. Well, did the CIO sponsor the American Peace Mobilization?

A. I don't think it was asked to. [5293]

Q. Did they pass any resolutions concerning the——

A. (Interposing): . What part of the CIO?

Q. Any part.

A. Well, I would say that our organization is affiliated with the CIO and it supported it. The Mine, Mill & Smelter Workers are a part of the CIO.

Q. As a union or just officials of the union?

A. As unions. We had 75 delegates from the NMU, from all ports to that meeting.

Q. Was the question presented to the membership?

A. Of course. They elected delegates, 75 of them.

Q. And for the American Peace Mobilization?

A. That's correct.

Q. The question was put up to the membership of the unions?

A. They elected delegates, yes.

Q. And there is a record of that in the minutes?

A. In the minutes of each port up and down the Atlantic Coast, the Gulf and the Great Lakes, the Mississippi and the Ohio.

Q. Those minutes are available to you?

A. They are available in the Union halls. They are hung up there for the membership to read.

Q. That the question of sending delegates to the [5294]-American Peace Mobilization——

A. (Interposing): Correct.

(Testimony of Joseph Curran.)

Q. (Continuing): —in Chicago was put up to a vote of the membership?

A. At membership meetings.

Q. And the membership elected delegates?

A. Yes.

Q. And that will be reflected in the minutes of the various unions with which you are connected?

A. I said—now, just a minute! Don't put words in my mouth. I said in the branches of our union. I am not responsible for every union.

Q. In the branches of your particular union?

A. That's correct.

Q. How many unions do you control?

A. The National Maritime Union, and I don't control it. The membership does.

Q. Now, will you send copies of those minutes to Judge Sears?

A. We'll send copies to anybody that requests them. They are available. But first, before I send copies to anybody, our membership has to pass upon sending them outside of the Union.

Q. I see.

A. Unless they are— [5295]

Q. (Interposing): Would you mind doing that?

A. You make that request?

Q. Yes.

A. I will take it up with the Executive Board and the membership of our organization. That's all I can do. I imagine they are available down at the Department of Justice or some place, anyway.

Q. Do you know if they are?

(Testimony of Joseph Curran.)

A. I think they should be. Much of our stuff is down there. The Dies Committee might be able to furnish you with them. They are all around.

Q. You know that of your own knowledge?

A. We don't hide them.

Q. What? A. We don't hide them.

Q. Huh? Do you know as much about that as the matters that you have testified to here?

Mr. Gladstein: I object to that question.

Presiding Inspector: I will exclude it.

The Witness: I say they are available, though.

By Mr. Del Guercio:

Q. Where did the—

Presiding Inspector (Interposing): His judgment is immaterial.

Mr. Del Guercio: Sir?

Presiding Inspector: His judgment is immaterial.

[5296]

By Mr. Del Guercio:

Q. Where did you have this convention in Chicago.

A. I think they call it the Coliseum.

Q. The Coliseum?

A. Yes, I think that's that—

Q. (Interposing): And how many delegates attended?

A. Oh, I am not too sure. I think there were active delegates, elected delegates—I think there were 7,500.

Q. And was there a Chairman elected or selected?

A. Yes. I think it was Owen Knox.

(Testimony of Joseph Curran.)

Q. Owen Knox? A. I think so.

Q. Was he the permanent Chairman of that convention?

A. I believe he is the Chairman. I'm not sure. I'm not sure of that. I believe he is. It is either Knox or Thompson. I'm not sure which it is.

Q. Was he on any committee?

A. Well, what committee? What do you mean by that? There were several committees.

Q. Were committees appointed by the convention?

A. Yes. There was Resolutions Committee and Continuations Committee, and so forth, elected there; Credentials Committee.

Q. Were you on one of the committees?

A. I believe I was on the Resolutions Committee.

Q. Any other committees? [5297]

A. No. I was Chairman of one of the panels.

Q. What's a panel?

A. Well, a convention of that type in which labor and other groups participate, religious groups and social groups and other groups, usually boil down into panels. One panel will become a labor panel, another will become a religious panel and so forth. That's what "panels" are.

Q. And you were on one of these panels?

A. That's right.

Q. How long did this convention last?

A. I think it lasted three days.

Q. Now, did the American League for Peace and Democracy have a delegation to that convention?

(Testimony of Joseph Curran.)

A. I don't know.

Q. Did you represent the American League—

A. (Interposing): There were many hundreds of groups there.

Q. Did you represent the American League for Peace and Democracy?

A. No. I represented the National Maritime Union. [5298]

Q. You were a member of the American League for Peace and Democracy at that time, were you not?

A. I believe I was.

Q. Were you an official?

A. I don't think so.

Q. Weren't you a member of the Labor Committee of the American League for Peace and Democracy?

A. I might have been.

Q. Well, don't you know.

A. I might have been; I am not sure.

Q. And didn't you—weren't you also Chairman of the Labor Committee at this Convention of the American—Labor Panel?

Presiding Inspector: He said he was.

Mr. Del Guercio: He didn't say "Panel".

Presiding Inspector: What are you talking about?

Mr. Del Guercio: This Labor Panel of the American Mobilization Plan.

Presiding Inspector: He said he was Chairman of that.

Mr. Del Guercio: I didn't hear it.

(Testimony of Joseph Curran.)

Presiding Inspector: He may not have called it "Chairman".

The Witness: I did say that.

Presiding Inspector: I so understood you.

By Mr. Del Guercio:

Q. Have you ever subscribed to the Daily Worker? [5299] A. No.

Q. Do you know what the Daily Worker is?

A. Yes.

Q. Do you know it as the official organ of the Communist Party?

A. Well, I don't know whether it is or not.

Q. Have you ever read the Daily Worker?

A. Yes.

Q. Did that ever appear on the masthead, "Official Organ of the Communist Party?"

A. I believe it is.

Q. Did you ever distribute copies of the Daily Worker anywhere, at any time, any place?

A. No.

Q. Did you ever cause copies of the Daily Worker to be distributed at any time, any place?

A. No.

Q. Bundles of them? A. No.

Mr. Del Guercio: That will be all, your Honor.

Redirect Examination

By Mr. Gladstein:

Q. Mr. Curran, as a trade union leader is it possible for you to enumerate all of the various committees of one kind or another that have requested your honorary support, or [5300] the use of your name?

(Testimony of Joseph Curran.)

A. No.

Q. Is it a frequent occurrence for organizations to request the use of a name for functions or in connection with organizations of members; or leaders in the trade union movement? A. Yes.

Mr. Myron: I object to that—as a custom of the organization.

Mr. Gladstein: Speaking from his own knowledge as to whether he gets frequent calls.

Presiding Inspector: That is a very general matter.

By Mr. Gladstein:

Q. Concerning your contributions to the Loyalists in Spain, do I understand that the organization of which you are the President, the National Maritime Union, officially contributed an ambulance to the Loyalists? A. No.

Q. How did it occur?

A. Collections, spontaneous collections were taken up in the ports based on a motion made on the floor. Each local has its autonomy in that respect. These collections were forwarded—and in the Port of New York they were put together and they amounted to enough to buy an ambulance. The motion that was made on the floor of these meetings said to buy [5301] medical supplies and ambulances. That is what it was for.

Q. Now, yesterday you were asked about a period in October 1936 when you were on the west coast, and in that period you stated that you had met with the Negotiating Committee on the west coast, includ-

(Testimony of Joseph Curran.)

ing Bridges, and that you had come to the west coast in an automobile with another man by the name of Ramos. Do you recall that testimony? A. Yes.

Q. Now, do you recall how you returned to New York on that occasion?

A. Well, I stayed here until the last possible minute to see what was going to happen, whether there was going to be a strike or not; and then the Maritime Federation of the Pacific, together with one ship's crew from the east coast, just to get enough money to pay my plane fare, and we left the automobile here. Dave Ramos stayed here on this coast during most of the strike. I went back to New York in order to get there in time enough to advise them of what was taking place out here.

Q. The name Al Lannon was mentioned in some of yesterday's examination. Is he a member of the NMU? A. Yes.

Q. Has he been from its inception?

A. Yes.

Q. Was he a member of any of the strike or defense [5302] Committees that represented the rank and file seamen on the east coast prior to the inception of the NMU?

A. I don't know. I think he was a member of the rank and file Committee; I am not sure.

Q. Calling your attention to the Strike Committee, the East Coast Seamen's Strike Committee in New York, the Committee that conducted the 1936 fall strike, do you recall whether Mr. Lannon was a member of the Committee?

(Testimony of Joseph Curran.)

A. I think he was a member of the Strike Committee; I am not too sure.

Q. Was Mr. Innes a member of that Committee?

A. No, he wasn't.

Q. What Committee was Mr. Innes a member of?

A. He wasn't a member of any Committee. He was dispatching tickets, I believe.

Q. Where?

A. In New York. No, he wasn't in New York. He was out here on the Coast during that strike.

Q. Well—

A. (Interposing): It is the spring strike I am thinking of when he was dispatching pickets.

Q. Calling your attention to the fall strike of 1936, did Innes hold any position as a member of the New York Strike Committee?

A. No; he was in San Pedro.

Q. What position did he hold in San Pedro?

[5303]

A. He was Chairman of that Strike Committee there, I believe; the East Coast Seamen's Strike Committee.

Q. So in your testimony yesterday with reference to Mr. Innes, I am not sure that the record is clear on this—I think it may be—when you referred to Innes being a member, or Chairman of the Strike Committee in connection with the 1936 Fall strike, was your reference to the San Pedro Committee in that connection? A. Yes.

Q. Now, while Mr. Innes was out here on the West Coast did you experience, as the Chairman of

(Testimony of Joseph Curran.)

the Seamen's Strike Committee, fall strike, any difficulty with Mr. Innes concerning his carrying out of the policy or program of the West Coast Strike Committee?

A. We had—

Mr. Del Guercio (Interposing): If your Honor please, I object to that. There is no testimony here that there was any such.

Presiding Inspector: What is the object of this?

Mr. Gladstein: There is this testimony, if I recall correctly: Mr. Innes testified that he was put on the carpet, and he used words of that kind, and rebuked, or criticised very severely for setting up the East Coast strikers in a separate group apart from—

Presiding Inspector: Wasn't that in your cross examination. [5304]

Mr. Gladstein: I don't know whether it was my cross or not.

Presiding Inspector: If it was your cross examination you are bound by his answers.

Mr. Gladstein: I am pretty sure that he testified on direct, in answer to Mr. Del Guercio's questions, that he, Mr. Innes, got into trouble with the West Coast because he refused to place these East Coast strikers under Communist domination—something of that kind.

Presiding Inspector: Frankly, I can't remember.

Mr. Del Guercio: I don't recall any such testimony brought out in the record.

Mr. Gladstein: However, regardless of this, this question has been touched on as to Mr. Innes during

(Testimony of Joseph Curran.)

the cross examination of Mr. Del Guercio of the present witness. I think I have a right to get the balance of the facts out.

Presiding Inspector: If anything of the kind, even remotely connected with this, was touched upon by Mr. Del Guercio, of course you have.

Mr. Gladstein: I think it was.

Presiding Inspector: I don't remember anything along this line, but it may be there.

Mr. Del Guercio: I haven't asked anything along this line on the cross examination of this witness.

Mr. Gladstein: Well, Mr. Del Guercio asked about Mr. [5305] Innes being in San Pedro, and what his position was, and as to whether there were communications between the two of them.

Presiding Inspector: Yes.

Mr. Gladstein: Now, I think we are entitled to go into the balance of that.

Presiding Inspector: I don't think so necessarily, unless they relate to the fact of whether he did have communications with him, whether he was in San Pedro. If you want to have him explain those matters you may, of course, have that.

Mr. Gladstein: I think there is another ground on which this is material and that is this: Mr. Curran stated that at one time, not only Mr. Innes, but also Mr. McCuiston, was among those trusted by himself, and others in the NMU, and subsequently the reputation of Mr. Innes and Mr. McCuiston changed in the minds of—

(Testimony of Joseph Curran.)

Presiding Inspector: But you can't give individual facts on that point. You are bound by his general statement as to his general reputation.

Mr. Gladstein: But Mr. Del Guercio brought out, by questions of Mr. Curran, brought out that testimony concerning the truthfulness, the conduct of Mr. Innes, during this period of 1936.

Mr. Del Guercio: That was only volunteered by the witness. My questions weren't directed along that line at all.

Mr. Gladstein: We have some notes, and if I may spend a minute I would like to look that up. [5306]

Mr. Del Guercio: It was along the line of whether or not, because of this witness' dealing with those people, whether they had a good reputation at that time, that period of time; while Mr. McCuistion, for instance, was collecting money in behalf of the Seamen's Clubs, on behalf of this rally in Madison Square Garden.

Presiding Inspector: I don't think you can go into individual acts on the truthfulness, or anything, to support the statement, except those that have been gone into on the contrary by Mr. Del Guercio. Frankly, I can't remember anything that touches on this point. I don't say it isn't there, Mr. Gladstein. I don't recall it.

Mr. Gladstein: This is a matter which is also within the knowledge of Mr. Bridges, and can be covered by his testimony if we have a right to cover it at all. So I won't delay the proceedings simply to look up the testimony on this.

(Testimony of Joseph Curran.)

Presiding Inspector: Very well.

By Mr. Gladstein:

Q. Now, are you familiar with the circumstances under which Mr. McCuistion and Mr. Innes had their connection with the NMU severed?

Mr. Del Guercio: You Honor, I object to that as to why they severed their connection with the NMU.

Presiding Inspector: If he is familiar I will take that, "Yes" or "No".

A. Yes. [5307]

By Mr. Gladstein:

Q. Now, with reference to Mr. Innes, will you state what the circumstances were which led to the severance of relationship between him and the NMU?

Mr. Del Guercio: I will object to that, if your Honor please.

Presiding Inspector: Didn't Mr. Innes himself go into that?

Mr. Del Guercio: It was on cross examination, if at all.

Presiding Inspector: Wasn't that gone into on direct examination?

Mr. Del Guercio: I don't believe so.

Mr. Myron: It was all brought out on cross examination.

Mrs. King: If your Honor please, on this issue, it seems there is a problem going to the anti-labor bias of Mr. Innes. I believe it did come out on his direct examination.

(Testimony of Joseph Curran.)

Presiding Inspector: I thought so.

Mrs. King: But in view of your Honor's ruling yesterday with reference to this, problem of bias, it seems to me this is not a collateral matter, but a question going to the problem of bias and that we are entitled to get the complete story of what happened.

Presiding Inspector: Let me see the testimony.

Mr. Gladstein: Of Mr. Innes?

Presiding Inspector: Yes.

Mr. Gladstein: On direct I think he was asked whether [5308] or not he had ever been a trade union man, and he said he had been a member of the NMU, and he said something about he no longer was at a certain point.

If your Honor wants to take the morning recess now we can look for it.

Presiding Inspector: No. I am anxious to get this thing straightened out.

(Whereupon a copy of the testimony referred to was handed to the Presiding Inspector.)

Presiding Inspector: It all came out on your cross examination.

Mr. Gladstein: What did?

Presiding Inspector: About this expulsion of Mr. Innes.

Mr. Gladstein: I am sure that Mr. Del Guercio wouldn't have asked this witness to tell about the fact that he was expelled from the union, but I—

Mr. Del Guercio: (Interposing) That statement

(Testimony of Joseph Curran.)

from counsel is uncalled for, if your Honor please. He has no business making it. We haven't produced any anti-labor men in here. This is all a smoke screen that the defense here is putting up. There has not been a single anti-labor witness; no such thing.

Mr. Gladstein: I can name six without thinking.

Presiding Inspector: Just a moment.

Mr. Del Guercio: You can't name a single one.

Presiding Inspector: Just a moment, now.

[5309]

Mr. Del Guercio: Why don't you try the facts?

Presiding Inspector: Now, Mr. Del Guercio, you should address yourself to the Examiner if you want to have anything asked of Mr. Gladstein.

Mr. Myron: This was all on cross examination.

Presiding Inspector: I found it on cross examination.

Mr. Gladstein: While looking for this, has your Honor considered the point that Mrs. King raises, that is, that anything that goes to bias could never been considered collateral?

Presiding Inspector: No. That is true. You can always show bias by other witnesses, but I don't think—I still think that there is no bias here in favor of, or against Mr. Bridges by the fact that a person is a believer in the trade union movement or is not.

Mrs. King: Here you have, if your Honor please, a distinct break between a large CIO union and a member thereof, and—

(Testimony of Joseph Curran.)

Presiding Inspector: How would that affect every member of these unions?

Mrs. King: It would seem to me very clear that as a result of—assuming there was an expulsion, for the purpose of this argument, here is a man who has been attacked by the union for conduct which they have denominated evil, and he has been thrown out of the union as a result of a decision by the union, which is a CIO affiliate. He would naturally [5310] be antagonized against the CIO by such conduct on the part of the union. If it is true that this case is identified in his mind with the CIO, his opposition to his own former union, out of which he has been expelled, that naturally would carry over to the defendant, who is the President of another CIO Union. It seems to me that there is just the same shade of bias involved in this thing as there was in the proposition that you took yesterday when you permitted the witness now on the stand to testify to the attitude of the CIO on the Bridges case. Now, if the one is relevant it seems to me clearly that the other is relevant.

Presiding Inspector: It is a question of remoteness, I suppose.

Mrs. King: But there is the problem of bias involved in the situation, and it seems that the problem should be cleared up, and the situation presented to your Honor, because there may have been a very real antagonism left in Mr. Innes' mind as a result of this incident which we are now trying to bring forth.

(Testimony of Joseph Curran.)

In view of the fact that bias is not a collateral matter, we are consequently not bound by the answer of the witness on the stand, that is, Mr. Innes in this case.

Presiding Inspector: Mr. Innes' statements on the stand are very much along the line of what you want to now produce.

Mrs. King: He said he walked out. [5311]

Presiding Inspector: Oh, no.

Mr. Gladstein: I admit, your Honor, that under cross examination Mr. Innes gave testimony which, from my viewpoint, is favorable to the defense; but I do think that we have a right to go into those things which one couldn't expect to get from a witness under cross examination.

Presiding Inspector: Of course, whether Mr. Innes was expelled or not, you have got it in the record. At least he said he didn't know about it except what he read in the newspapers. But it was evidently in the newspapers.

Mr. Gladstein: Of course, the question of the strength or extent of bias which is established, either expressly or inferentially, to your Honor with respect to the testimony of any witness is also a question. It is one thing to—

Presiding Inspector: But you don't think we can go in and try here the propriety of that decision of the union?

Mr. Gladstein: No.

Presiding Inspector: It might be relevant in the same way.

(Testimony of Joseph Curran.)

Mr. Gladstein: If they wish to question it, it is all right with us, the propriety of the decision of the union.

Presiding Inspector: It wouldn't be all right with me because we would be here a year if we tried all these collateral things.

Mrs. King: I believe that this matter has been litigated. [5312] If your Honor wants a decision on that expulsion I think we can produce it.

Presiding Inspector: You mean in the courts?

Mrs. King: Yes; it has been in the courts.

Presiding Inspector: I am not interested in that.

Mrs. King: I do think we are entitled to get from this witness what really happened as far as the union's point of view on the situation is concerned. He is the President of the Union which expelled this witness, Innes.

Presiding Inspector: You want to prove that he was expelled, is that all?

Mr. Gladstein: No. I wanted the circumstances which led to the termination of relationship in order to show to your Honor the character and depth of the bias which we feel you have a right to infer, as to the testimony of Mr. Innes.

I say, it is one thing for a witness to say, "You can consider maybe I am a little bit biased on such and such a thing," and it is quite a different thing to be able to bring out facts to show that that bias is so extreme that it colors, or could reasonably be considered to color every bit of his testimony. There are degrees of bias.

(Testimony of Joseph Curran.)

Presiding Inspector: You have got that all in the record. Have you re-read that cross examination that I pointed out to you?

Mr. Gladstein: Of Mr. Innes?

Presiding Inspector: Yes. [5316]

Mr. Gladstein: No, I haven't. You mean the small portion referred to here?

Presiding Inspector: Yes.

Mr. Gladstein: No. I turned it back to counsel.

Presiding Inspector: What more could you have than that? I think you are exaggerating this.

Mrs. King: I think, your Honor, that it would take less time to take this testimony, unless there is some real reason for not taking it, if it is merely a matter of time and expedition.

Presiding Inspector: Very well. I will let you have it. Go ahead.

Mr. Del Guercio: If the Court please——

Presiding Inspector: I will let it in over your objection. If you want to say anything more about it you may, in opposition.

Mr. Del Guercio: Yes, I do. On this question of bias, of course, we are going into things pretty remote——

Presiding Inspector: I think so too.

Mr. Del Guercio: (Continuing) ——unless it could be shown that Innes was unjustly expelled. As I understand the testimony, he was expelled in absentia. Whatever action was taken was taken while he was not present. There was no hearing.

(Testimony of Joseph Curran.)

If they could get through this witness here that Innes was unjustly and arbitrarily expelled, perhaps they may be able to establish prejudice of Innes against the Union. I don't [5314] know whether they have that in mind or not.

We could also show that this witness here himself was expelled from the union in about the same kind of a manner. Now, I suppose we can go into that also.

If we let this kind of testimony in we will have to open the thing wide open.

We have got to call a stop somewhere.

Presiding Inspector: I will take it. Go ahead.

By Mr. Gladstein:

Q. Do you understand the question?

Presiding Inspector: You have to be very careful in what you answer. Listen to the question and answer only the question or else we will get into matters which will unduly prolong the hearing. You understand?

The Witness: Yes.

By Mr. Gladstein:

Q. The question I asked was this: Please state what the circumstances were which led to the termination of connections or relationship between Mr. Innes and the NMU.

Presiding Inspector: Only the things that you personally know of.

Mr. Del Guercio: I will object to the question.

Presiding Inspector: I will take it.

(Testimony of Joseph Curran.)

A. The report of the Auditing Committee showed a mishandling of funds on the part of Peter Innes. [5315]

By Mr. Gladstein:

Q. What kind of funds?

A. Funds in relationship to material of the Union in the form of buttons.

Q. That is, Union funds?

A. Yes. In material that was bought for the use of the Union and in buttons and other materials of that type; a shortage of funds and a mishandling of those funds.

Q. Was Mr. Innes involved in a baseball incident, baseball bat incident?

Presiding Inspector: Do you know anything about it?

The Witness: Yes, I do, very much. I was in the center of it.

Mr. Myron: We object to that, if your Honor please, on the further ground—does it have anything to do with the expulsion from the Union?

The Witness: It does.

Mr. Gladstein: If it does, then I am going to ask the question.

Presiding Inspector: All right.

By Mr. Gladstein:

Q. Please state just briefly, Mr. Curran, what were the circumstances.

A. Peter Innes, together with a group, raided

(Testimony of Joseph Curran.)

the office of the Union hall under the smoke screen of driving [5316] out Communists.

Presiding Inspector: When and where was this?

The Witness: This was in, I believe, 1938.

By Mr. Gladstein:

Q. Where did it occur?

Presiding Inspector: Strike out the "smoke screen of driving out Communists."

The Witness: That's what they stated.

Presiding Inspector: You are not to answer except what you are asked.

The Witness: All right.

Presiding Inspector: Now, he may be able to ask that, but don't volunteer.

By Mr. Gladstein:

Q. Where did it occur, Mr. Curran?

A. 126 Eleventh Avenue.

Q. And that was what?

A. That was the Union hall.

Q. And you were present at the time?

A. I was there; yes.

Q. Did you see whether Mr. Innes and the people with him had baseball bats?

A. I did.

Q. Did they use them?

A. They used them.

Q. In what way? [5317]

A. Well, one woman was knocked downstairs.

Mr. De Guercio: I will object to this line of questions.

(Testimony of Joseph Curran.)

Presiding Inspector: Did you see Innes do that?

The Witness: Innes was carrying one of the baseball bats.

Presiding Inspector: Did Mr. Innes knock the woman down the stairs with a baseball bat?

The Witness: I didn't say he did.

Presiding Inspector: Then you had no business in saying anything about it.

Now, you are asked what Mr. Innes did.

Mr. Gladstein: But if Mr. Innes was part of a group that came in with baseball bats, then I think that Mr. Innes is just as responsible as anybody with him in that conspiracy who made the direct blow.

Presiding Inspector: This is going to take us very, very far afield.

Mr. Gladstein: Your Honor knows—

Presiding Inspector: (Interposing) I have ruled this all out unless we find that there were charges served on him.

Mr. Gladstein: Well, I will go to that.

Presiding Inspector: Go right to that.

By Mr. Gladstein:

Q. Was Mr. Innes formally charged in the NMU for the purpose of having him stand trial on those charges? [5318]

Presiding Inspector: "Yes" or "no."

A. Yes.

Presiding Inspector: Was it in writing?

The Witness: It was in writing in accordance with the constitution.

(Testimony of Joseph Curran.)

By Mr. Gladstein:

Q. Do you know whether the charge was served on him?

Presiding Inspector: Personally. Do you know?

A. The charge couldn't be served on Peter Innes personally. The constitution——

Mr. Del Guercio: (Interposing) Then I move that the answer be stricken.

Presiding Inspector: That is all right. I will take that.

By Mr. Gladstein:

Q. What did the constitution provide?

A. The constitution provides that you notify the one to be tried by registered mail, and if you are unable to reach him in that manner a notice is to be published in the Union halls and in the order of the Union that he is to appear for trial. That was done.

Presiding Inspector: Was that done?

The Witness: The notices were posted in the Union halls and the notice was carried in the official organ of the Union.

Presiding Inspector: Was it served on him by registered mail? [5319]

The Witness: We couldn't reach him with a registered mail. The constitution provides that if you cannot serve it with the registered mail the other method of posting and carrying in the official organ is constitutional. He disappeared.

(Testimony of Joseph Corman.)

Mr. Del Guercio: There, if your Honor please, there's another "he disappeared."

Presiding Inspector: Strike it out.

By Mr. Gladstein:

Q. You mean, it is true that you were unable to locate him.

A. That's true.

Presiding Inspector: What did you try to do, so far as you know yourself?

The Witness: I as President of the Union carried on the work of notifying the branches—

Presiding Inspector: (Interposing) We are not questioning that, but what did you do? That's it.

The Witness: I sent letters to every port; I notified all the men on as many ships as I could, that if they found hide or hair of Peter Innes to tell him that he was wanted for trial.

By Mr. Gladstein:

Q. Now, what if any action was taken by the NMU officially on the charges against Mr. Innes?

A. The regular procedure was followed. A trial was held [5320] and he was suspended, and the convention summarily adopted a resolution unanimously upholding the verdict of that trial committee.

Q. And what was the verdict?

A. The verdict of the trial committee was that he be suspended for 99 years.

Q. Now, do you know what the circumstances were that led up to the severance of the connection that had theretofore existed between William McCuiston and the NMU?

(Testimony of Joseph Curran.)

Mr. Del Guercio: I will object to that, if your Honor please.

Presiding Inspector: I will take it. The same thing that you have done before——

Mr. Gladstein: (Interposing) Yes.

Presiding Inspector: (Continuing) ——so far as charges are concerned.

Mr. Gladstein: Yes:

A. William McCuistion was charged with anti-Union activities in the form of leading what was known as "goon squads," "chain squads," breaking into Union halls and carrying on in a general manner antagonistic to the Union.

By Mr. Gladstein:

Q. Was he tried?

A. He was tried by the National Convention of the Union.

Q. What is the highest body in the Union?

[5321]

A. The convention.

Q. Do you know whether Mr. McCuistion was aware of the charges that were made against him?

A. He was not only aware of it, he was in the convention illegally and the question of legality as to the entry in the convention was being taken up by the Credentials Committee at the time.

Q. And were the charges on file against him at that time? A. Yes.

Q. And can you state, being present at that convention, whether McCuistion was told or was aware

(Testimony of Joseph Curran.)

while he was at the convention that there were those charges against him?

A. He was aware. They were the basis on which the Credentials Committee refused to seat him.

Q. Now, do you know what ultimate action occurred with respect to the charges against McCuis-tion?

A. The Convention voted to suspend him for 99 years.

Q. Now, you were asked yesterday about some strike committee minutes and other documents and this M. W. I. U. membership book, and you testified that you had a trunk stolen from your home, containing those documents, some time in the year 1938. Do you know by whom that trunk was stolen?

Mr. Del Guercio: If your Honor please, I will object to that. There was no such testimony. This witness tried as [5322] much as possible to get that in without once answering the question, and—

Presiding Inspector: (Interposing) Oh, yes. He said the trunk was stolen.

Mr. Del Guercio: He volunteered that, if your Honor please.

Presiding Inspector: Well, it's in the record. I don't see how—

Mr. Gladstein: (Interposing) I think it will connect it, your Honor. I first want to ask whether he knows. It may well be, and I am informed, that he cannot say who actually stole the trunk. But I have some further questioning on that subject matter which I think is pertinent.

(Testimony of Joseph Curran.)

Mr. Del Guercio: If criminal charges were preferred, If your Honor please, it might be a proper question. None that I know of have been. This witness says—

Presiding Inspector: (Interposing) I don't know what difference it would make whether there were criminal charges preferred or not.

Mr. Gladstein: I don't either.

Presiding Inspector: I don't see how it is competent in any way.

You want to show that it wasn't any person that was under his control? Why don't you ask him that?

Mr. Gladstein: No. Here is what I wish to show. Very [5323] frankly, your Honor, I wish to show that the trunk was stolen from Mr. Curran's house in the year 1938 and contained documents which a year or so later turned up before a hearing of the Dies Committee, introduced by Mr. McCuiston and Mr. Innes.

That's what I want to show. Now, Mr. Curran is not in a position to say that, as an eye witness he saw Mr. Innes or Mr. McCuiston steal his trunk, but he does know that there were documents in that trunk after that trunk was stolen, with the passage of about a year, which documents, or some of them, that were in that trunk were introduced before the Dies Committee by Mr. Innes and Mr. McCuiston.

I think we are entitled to put that in evidence, your Honor.

(Testimony of Joseph Curran.)

Mr. Del Guercio: We are not trying the Dies Committee here. No document was introduced in this hearing here that belonged to this witness.

Mr. Gladstein: Why, your Honor, during the cross examination yesterday Mr. Del Guercio was looking at photostatic copies in the official Dies Committee Reports of some of these purported letters and documents. For example, the purported communications between Innes and Mr. Curran and other things. And he was asking this morning about a May Day parade. There was a photostatic copy in the Dies Committee records of that showing Joe Curran marching in a May Day parade. All those things were introduced by McCuiston and Innes. I have read that [5324] record and I say that.

Mr. Del Guercio: The letters that I was looking at were the letters that this witness admitted writing to McCuiston.

Presiding Inspector: He didn't admit them and you didn't put the letters in. There is no proof in the case about these letters.

Mr. Del Guercio: That is correct.

Presiding Inspector: He said he "might have" written them, but there is no proof.

You want to prove a criminal act on the part of these people. You can't do that.

Mr. Gladstein: No, that isn't the purpose. Certainly, the proof lends itself to that inference being taken from it, but if you will recall,—

(Testimony of Joseph Curran.)

Presiding Inspector: (Interposing) That isn't—

Mr. Gladstein: (Continuing) —Mr. Curran was asked about whether his records would show this and whether his records would show that, and his memory was probed regarding specific events that occurred during 1936 in that approximate time. He said that many of the things that were being asked about were matters of record, that he had those records at one time, that they were in a trunk in his home and it was stolen in 1938. He didn't at the time, as counsel would try [5325] to have you believe, say it was stolen by Innes or stolen by McCuistion or anything of the sort. I think, though, we are entitled to have him show that those very same documents, which to your Honor might seem rather queer, that the witness wouldn't have them or be willing to make them available or something of that sort—we would like to have your Honor know that those same documents were in the hands of the Dies Committee, that they were given to the Dies Committee by the two witnesses who appeared here, Innes and McCuistion. For all I know, they may be in the hands of Mr. Del Guercio. I don't know. At least they were given to the Dies Committee. And the record shows, if it shows anything, that there is certainly no lack of cooperation between men like McCuistion and Innes and a committee like the Dies Committee and its representatives and the representatives of the FBI and

(Testimony of Joseph Curran.)

the representatives of the Associated Farmers and of the Los Angeles Police Squad.

There is this—

Presiding Inspector: (Interposing) I think you had better leave all this until you finally present the case for decision. It seems to me it has no point in the discussion of this question of the admissibility of this evidence. Now, you have established that this trunk of this man—and I suppose it will be contradicted—was stolen. That is all you need to establish so far as the absence of the articles is concerned. [5326]

Mr. Gladstein: I think I can perhaps approach it this way and I think legally I am correct in doing so, your Honor. But at any rate, in spite of objections that I anticipate, let me ask this question. I withdraw the last question.

By Mr. Gladstein:

Q. Mr. Curran, in the trunk which you testified was stolen from your house in 1938 were there documents which later on turned up before the Dies Committee?

Mr. Del Guercio: I will object to the question, if your Honor please, as being immaterial. He had a million documents in that trunk that turned up before the Dies Committee—if he did, I am not admitting that there were—we are not concerned with that in this hearing. No such document has been introduced in this hearing. There is no such evidence in this hearing.

(Testimony of Joseph Curran.)

Presiding Inspector: Let me hear the question.

(The question referred to was read by the reporter as above recorded.)

Presiding Inspector: I will take that.

"Yes" or "No."

A. Yes, there were.

By Mr. Gladstein:

Q. Now, did you examine the Dies Committee Reports with specific reference to the testimony of Mr. McCuiston and Mr. Innes? Have you examined those reports? [5327]

Mr. Del Guercio: I will object to that, if your Honor please. We will have to go into the whole, entire testimony of the Dies Committee and introduce the whole thing here in this hearing.

Presiding Inspector: Very well.

Mr. Del Guercio: Do we want to do that?

Presiding Inspector: I don't see whether this man has examined this report or not is of any materiality.

Mr. Gladstein: I think it is preliminary to the next question and qualifies him to answer the next question. I don't see why Mr. Del Guercio should object to having this record show that Mr. Curran read the testimony of Mr. Innes and McCuiston before the Dies Committee.

Mr. Del Guercio: I will tell you why I am objecting to that. Because we are going so far afield here that we are forgetting that we are trying Harry Bridges.

(Testimony of Joseph Curran.)

Presiding Inspector: We are not "trying" Harry Bridges. We are investigating a very narrow point in relation to Mr. Bridges.

Mr. Del Guercio: Don't they have some evidence to contravert the evidence that the Government has introduced? This is a fact-finding body. We are looking for facts. What facts? The fact as to whether Bridges is a member of the Communist Party. Not what the Dies Committee did, not whether this witness ever had a trunk or didn't have a trunk and, if he had a trunk, whether [5328] it was stolen or not. I don't know whether he had a trunk.

Mr. Gladstein: So Mr. Del Guercio will understand—

Mr. Del Guercio: (Interposing) The witness said he was broke around that time and traveling in jaloppies.

Mr. Gladstein: So Mr. Del Guercio may understand the theory of the Defense, because he has asked this question a number of times, your Honor, —

Mr. Myron: (Interposing) I don't think it is necessary to give us the theory of the Defense.

Mr. Gladstein: I would like to continue my statement.

Presiding Inspector: Let Mr. Gladstein continue with his statement.

Mr. Gladstein: So Mr. Del Guercio won't ask again why we are not contraverting his testimony, we are establishing, and certainly we contend that

(Testimony of Joseph Curran.)

we are establishing, that the witnesses that Mr. Del Guercio has relied on have lied, your Honor. That is the purpose of the testimony we have put in. We can argue whether the proof has been established one way or the other, but at least it should be clear to anyone what the theory of the Defense is.

Now, I think it is needless to have this same question asked by Mr. Del Guercio. I think it is the fourth or fifth time that he has asked that.

Mr. Del Guercio: In view of counsel's statement that the Government's witnesses are liars, I would also like to make [5329] the statement that every witness the Defense has brought here are liars.

Presiding Inspector: I don't think that adds much to the investigation.

Mr. Del Guercio: As much as his statement. That is my opinion. And I say it in seriousness, not in jest.

Presiding Inspector: The opinion of either of the representatives of the respective parties are entirely immaterial here, and they don't move me at all unless they are substantiated by the evidence.

Now, I will let the witness answer this very simple question. "Yes" or "No".

Mr. Gladstein: Do you recall the question?

Presiding Inspector: Have you read the testimony of the Dies Committee given by Mr. McCuiston and Innes? A. Yes.

(Testimony of Joseph Curran.)

By Mr. Gladstein:

Q. Now, can you state, based on that examination, whether any of the documents or written records that were in the trunk that were stolen from you in 1938 were introduced before the Dies Committee by Mr. McCuiston and Mr. Innes?

Mr. Del Guercio: I will object to that, your Honor.

Mr. Gladstein: As it appears from the record.

Presiding Inspector: Well, don't you think you had better put in the record?

Mr. Gladstein: He would have to answer that first based [5330] upon his examination and then, if it is a question of specific documents, we can go to the record.

Presiding Inspector: Well, I can see that this—I will take it.

Mr. Myron: His testimony is taken from the record. He said that he has read the testimony, and from reading the testimony he will draw certain conclusions and, therefore, the record—

Presiding Inspector: (Interposing) We are trying to avoid the technicalities as much as we can. I will take it.

Mr. Gladstein: Do you wish to have the question read to you or do you have it in mind?

A. Yes.

Mr. Gladstein: Now, does your Honor wish the documents referred to specifically?

Presiding Inspector: No.

(Testimony of Joseph Curran.)

By Mr. Gladstein:

Q. Now, yesterday, Mr. Curran, you were asked by Mr. Del Guercio whether the CIO was interested in knowing if Harry Bridges was a Communist, whether you knew or the CIO knew whether Mr. Bridges was a Communist. Do you wish to add anything to the answers that you gave on that subject matter?

Mr. Del Guercio: Well, if your Honor please, I object to that as being improper. The witness had every opportunity [5331] to answer that question.

Presiding Inspector: This is redirect. This is redirect. He can ask him to explain anything that he said in answer to your questions, Mr. Del Guercio.

But I think you had better direct his attention to something.

Mr. Gladstein: Well, there were a series of half a dozen questions. None of them is specifically in my mind, but the subject matter was generally as I have indicated in my question.

Presiding Inspector: All right. Go ahead.

The Witness: What was the question, please?

Presiding Inspector: Do you want to add anything to the answers that you gave to Mr. Del Guercio about whether these various people were or were not Communists?

Isn't that it?

Mr. Del Guercio: Do we want a prepared statement or is his testimony now spontaneous?

(Testimony of Joseph Curran.)

Presiding Inspector: We want a statement from this man.

A. Well, the only thing I wanted to add to it was that the CIO had very carefully, as far as I know, most of the executive officers, been aware of the fact that the Bridges case was already tried and that the decision of the Dean Landis hearing was that he was not. The CIO was satisfied that he had been tried and acquitted and that he was not a Communist, and [5332] therefore, voted every support to the defense of Bridges, which they believe was and do believe and will continue to believe is an attack against labor and not against Bridges as such.

Mr. Gladstein: That is all.

Recross Examination

By Mr. Del Guercio:

Q. Did Mr. Innes appear before your Union and defend himself against the charges made by you and your Union? A. I made no charges.

Q. Who made the charges?

A. The Auditing Committee elected by the membership.

Q. Well, did Innes appear?

A. Innes took a "run-out powder".

Q. What? A. He disappeared, faded.

Q. "Run-out-powder"? A. Yes.

Q. You are the President of a Union?

A. Yes.

Q. And you spoke for this Peace Mobilization

(Testimony of Joseph Curran.)

Plan, one of the delegates to the Peace Mobilization Plan. Now, I will ask the question again: Did Innes appear—

Presiding Inspector: (Interposing) Now, you can answer that "Yes" or "No". [5333]

By Mr. Del Guercio:

Q. (Continuing) —Before your Union and defend himself against the charges—

A. (Interposing) No.

Q. (Continuing) —Preferred against him?

A. No, he did not.

Q. Huh? A. No, he did not.

Q. Did McCuistion appear before your Union and defend himself against the charges preferred against him by your Union?

A. No, he did not.

Q. Have you ever been expelled from a Union?

A. Yes.

Q. From what Union? A. The ISU.

Q. And under what circumstances were you expelled?

A. I and 17 others were expelled for being responsible for the so-called outlaw strike in 1936 and the so-called mutiny on the California and for fighting against the fakers in the ISU, without trial.

Q. Were charges preferred against you?

A. No.

Q. Huh? A. There was no trial. [5334]

Q. How were you expelled?

(Testimony of Joseph Curran.)

A. I was expelled through the medium of the New York Times.

Q. Through the medium of the New York Times. Did the New York Times run the Union at that time?

A. No. It ran the notice that the officials had put in.

Q. What Union did you belong to at that time?

A. The International Seamen's Union of America, affiliated with the American Federation of Labor.

Q. And you were expelled from that, weren't you? Thrown out?

Presiding Inspector: He said so.

A. I and 17 others; yes, sir.

Presiding Inspector: We don't care about the 17 others.

By Mr. Del Guercio:

Q. Did you have a trial? A. No, sir.

Q. Huh? A. No, sir.

Q. Did you ever read the testimony in the previous trial against Harry Bridges?

A. No, I read the decision.

Q. Just the decision, not the testimony?

A. And I read parts of the trial, too, that were in [5335] the—

Q. (Interposing) Parts of the trial?

A. Parts of the trial that appeared in the papers. I followed it in the papers; read the decision.

(Testimony of Joseph Curran.)

Q. Did Harry Bridges or Mr. Gladstein here or Mr. Grossman or Mrs. King make available to you a transcript of the testimony that was adduced at the previous hearing?

A. No, they did not.

Q. Did they make it available to the officials of the CIO? A. I don't know.

Mr. Del Guercio: That is all.

Mr. Gladstein: I might mention for the record before I ask the question of Mr. Curran that Mr. Lee Pressman, the General Counsel of the Congress of Industrial Organizations was an attorney of record in the previous hearing in this case.

Redirect Examination

By Mr. Gladstein:

Q. When you and the 17 others were expelled from the ISU, Mr. Curran, how many members were left in the ISU, if you know?

A. When we were expelled, I believe that almost all of the members of the ISU stopped paying dues in the ISU as such. It is pretty hard to say. [5336]

Q. Does the ISU as such exist today?

A. No.

Mr. Gladstein: That is all.

Recross Examination

By Mr. Del Guercio:

Q. Do you want us to believe that it doesn't exist because you were expelled from that Union?

A. Believe what you like. I don't know.

(Testimony of Joseph Curran.)

Q. Is that what you want us to believe?

A. I didn't create that impression, no. I didn't attempt to do that. I merely answered a question.

Mr. Del Guercio: That is all.

Presiding Inspector: What did you mean when you said they stopped paying dues?

The Witness: I meant they were completely dissatisfied, your Honor, with the leadership of that Union and felt that it had been completely dishonest, and, therefore, stopped paying dues. That is what I meant to convey.

Presiding Inspector: You didn't have anything to do particularly with this expulsion?

The Witness: No, not particularly. The whole general situation in the Union was bad.

Presiding Inspector: It crumpled up about that time?

The Witness: Yes.

Mr. Gladstein: That is all, your Honor.

Presiding Inspector: That is all.

(Witness excused.) [5337]

Presiding Inspector: We will take a short recess.

(Whereupon a short recess was taken.)

Presiding Inspector: Call the next witness, Mr. Gladstein.

HARRY RENTON BRIDGES

called as a witness in his own behalf, having been previously duly sworn, testified as follows:

Direct Examination

By Mr. Grossman:

Q. Your name, please?

A. Harry Bridges. The middle name is Renton;
R-e-n-t-o-n.

Q. Where were you born, Mr. Bridges?

A. Melbourne, Australia.

Q. Did you go to school in Australia?

A. I did.

Q. What schools did you go to there?

A. Ordinary private schools, grammar schools and later on a Junior College.

Mr. Del Guercio: Will you have the witness speak a little louder, please. I can't hear.

Presiding Inspector: Yes. Speak a little louder.

Mr. Del Guercio: May I make the suggestion here? To get a little closer?

By Mr. Grossman:

Q. How many years did you live in Australia?

[5338]

A. Until—I left around Christmas, 1910; before Christmas.

Q. In what year were you born?

A. 1901, July.

Q. Are your parents at the present time resident in Australia?

A. They are.

:(Testimony of Harry Renton Bridges.)

Q. What is the occupation of your parents?

A. My father was a realtor.

Q. Is he now? A. He is now.

Q. Did you ever do any work in Australia?

A. Yes.

Q. What kind of work did you do?

A. Shortly after leaving school I worked in the office of a stationery firm for a short while and then I went to sea.

Q. Did you ship back to Australia when you first began to ship?

A. Oh, yes. From Australia and back to various parts.

Q. About how long did you ship from and back to Australia?

A. Oh, for about five years; four or five years.

Q. Did you work in any particular department of the [5339] ships?

A. On deck, an able seaman.

Q. When did you first arrive in the United States; any kind of an arrival? A. 1918.

Q. And were you working in the crew of a ship at that time?

A. I was on a British ship, an Australian ship.

Q. Did you return to Australia after that time?

A. Yes.

Q. When was the next time you arrived in the United States? A. That was the only time.

Q. I assume you mean that was your only temporary—that was your first temporary arrival and

(Testimony of Harry Renton Bridges.)

your only temporary arrival. But what about the next arrival? A. 1920, April.

Q. Were you a member of a crew then?

A. I was.

Q. Did you continue to remain a member of the crew after you entered the United States?

A. I left that ship.

Q. At what port did you leave the ship?

A. San Francisco.

Q. Did you continue to ship after that? [5340]

A. I did.

Q. For about how long?

A. Until the end of 1922.

Q. Did you ever work for the Geodetic Survey?

A. I did.

Q. During what years?

A. From, I think it was, February or March of 1922 until, I think, September 1922. That was my last trip to sea.

Q. I beg your pardon?

A. That was my last trip to sea.

Q. After that what work did you do?

A. I worked—the first real work ashore that I did was in San Francisco in the fall of 1922. I forget the firm I worked with or what I was doing. It was a paint firm, I think, and then later on—I forget the exact time—I went to work as a longshoreman in San Francisco.

Q. Have you worked as a longshoreman ever since, continuously?

(Testimony of Harry Renton Bridges.)

A. Yes. At least since the latter part of '22 or the early part of 1923.

Q. Have you done any substantial amount of other work except holding a Union office since that time? A. Nothing else.

Mr. Del Guercio: Well, I will object to that.

[5341]

Presiding Inspector: I will take it.

A. (Continuing) : I have held a Union office since May 1934 and I have not worked as a longshoreman since.

Presiding Inspector: Of course, it was leading. But this is all preliminary.

Mr. Del Guercio: May I have that last question, please?

Do I understand that you haven't worked since you became a Union official?

The Witness: Not as a longshoreman.

Mr. Del Guercio: Will you read the answer?

(The answer referred to was read by the reporter as follows: .

"A. (Continuing): I have held a Union office since May, 1934 and I have not worked as a longshoreman since.")

By Mr. Grossman:

Q. When was the first time that you belonged to a Union? A. In Australia.

Q. About when and what Union was it?

A. Around 1915 or so; the Australian Seamen's Union.

(Testimony of Harry Renton Bridges.)

Q. For what period of time were you a member of that Union?

A. That's hard to say. The way the Union functioned there, you withdrew from it, you took a temporary withdrawal card when you sailed in sailing vessels; then your card operated again when you went in steam. [5342]

Mr. Del Guercio: I will object to that and have the answer stricken out as not responsive.

Mr. Grossman: I think it is quite responsive, your Honor.

Presiding Inspector: I will take it. Go ahead. I will allow it to stand.

By Mr. Grossman:

Q. I take it, then, you never returned to sailing vessels?

A. I was in sailing vessels most of the time except a couple of trips I made in steam.

Q. I mean you never returned to steam vessels. Is that the thing that would discontinue your membership?

A. That's right. The effect of it was that my book was generally held in headquarters or the branch that I was attached to most of the time I went to sea there, and it was there and it is still there.

Q. When was the next Union you belonged to?

A. The Sailor's Union of the Pacific.

Q. When did you join?

A. Immediately when I landed in San Francisco: April, 1920.

(Testimony of Harry Renton Bridges.)

Q. For what period were you a member of that Union?

A. Until around June or July, 1921, or later. As far as the actual affiliation is concerned, I would say it was [5343] later on in the fall; a few months after the end of the 1921 seamen's strike.

Q. Did you hold any Union position in the Seamen's Union in Australia? A. No.

Q. Did you hold any Union position in the Sailor's Union of the Pacific?

A. Not any official position other than maybe a ship's delegate, committee member once in a while, and during the strike I was a picket captain.

Q. During the 1921 strike? A. Yes.

Q. Where were you during that strike?

A. In the City of New Orleans.

Q. When was the next time you joined the Union?

A. I joined the IWW during the strike, 1921.

Q. What Union was it that you joined in the IWW?

A. The Marine Transport Workers, 510.

Q. How long were you a member of that Union?

A. A few months. I can't exactly recall how long, but a few months.

Q. How did your membership in that Union become discontinued or severed?

A. I didn't like some of the tactics and the policies of the Union and did not believe that they would bring about [5344] the things that I had in mind as an individual at that time.

(Testimony of Harry Renton Bridges.)

Q. Did you drop out?

A. I dropped out.

Q. When was the next time you belonged to a Union?

A. 1934. That's excluding the Company Union that I don't recognize as a Union. Oh, in 1924 for a short while we revived the Longshoremen's Union affiliated with the American Federation of Labor in San Francisco, but that only lasted a few months.

Q. Was that Union affiliated with the International Longshoremen's Association.

A. That's right.

Q. Was there any American Federation of Labor Union functioning among the longshoremen in San Francisco during the time that you were a longshoreman that you did not belong to?

A. No.

Q. When did you say after this time in 1924 was the next time you belonged to a Union?

A. 1933, June.

Q. What Union did you join at that time?

A. ILA; International Longshoremen's Association.

Q. Mr. Bridges, was there any relationship between the working conditions on the waterfront in 1934 and the development of the 1934 strike? [5345]

Mr. Del Guercio: I will object to that, if your Honor please, as not being material and at issue in this case, conditions at that time.

(Testimony of Harry Renton Bridges.)

Presiding Inspector: Just a moment! Now is that material?

Mr. Grossman: Your Honor, that's a preliminary question.

Presiding Inspector: Very well.

Mr. Grossman: I might as well state what it is preliminary to.

Presiding Inspector: Yes.

Mr. Grossman: It is a preliminary question in order to introduce the question of the conditions that were in existence, the working conditions at the time the strike developed, which goes to explain the various activities of Mr. Bridges, what cooperation there was with the Marine Workers Industrial Union, what connection he had with the Waterfront Worker, why the men joined the Union, why they set up the Albion Hall group; all these things that have been testified to or referred to or in which there are claimed admissions. And this is the objective working conditions at that time.

Presiding Inspector: Very well. I will take it with that understanding.

A. All the issues and demands of the '34 strike grew out of the conditions on the waterfront at that time, and pre- [5346] vious.

By Mr. Grossman:

Q. All right. Can you state what were the conditions on the waterfront that eventually resulted in the 1934 strike?

A. There were numerous conditions that were objected to by all the men. The main one —

(Testimony of Harry Renton Bridges.)

Mr. Del Guercio: (Interposing) As I understand it, is this within the witness' knowledge or what he has gleaned since or read about?

Mr. Grossman: Within the witness' knowledge.

The Witness: Conditions that I worked under and suffered under for a long time and fought to get rid of, and the reason that the Union was organized and eventually struck and won, definitely within my own knowledge.

By Mr. Grossman:

Q. Will you proceed to state those conditions, Mr. Bridges?

A. The first and the main condition was the blacklist or the discrimination against everybody that expressed themselves in any way against the conditions.

Q. How did that work out?

A. You just didn't work. If you persisted you just didn't stand much of a chance of making any type of a living in the industry.

Q. What forms of protest against conditions were [5347] sufficient to invoke the blacklist?

Mr. Del Guercio: My objection goes to all this line of inquiry, your Honor.

Presiding Inspector: Yes. I will take it.

A. A spoken protest, a mere objection to doing this, that, or the other thing while working; the mere objection to the type of operation being performed; the mere objection to the unsafe conditions under which the work was performed; and objec-

(Testimony of Harry Renton Bridges.)

tion to the various forms of what we call "chiseling" on your pay and the payroll; all too numerous to mention. I could go on for many, many minutes telling you all about them.

By Mr. Grossman:

Q. Was this blacklist invoked by all the employers of longshore labor in the Port of San Francisco?

A. No. There were exceptions. The United States Army Transport dock did not belong to the Employers' Association and, therefore, did not indulge in the discrimination to any broad degree. There was certain discrimination. The Australian ships and what we would call the "Australian Dock," was another "haven of refuge", as we used to know them. The Japanese docks was another one. They were the three main ones where, when you were generally blacklisted by all the other companies, you could generally find a job now and again on those docks. [5348].

Q. Was there any condition with relation to hiring, the method of hiring that in any way brought about the 1934 strike?

Mr. Del Guercio: I will object to that, if your Honor please. The witness has just gone into that. He has testified as to what the conditions were. Now counsel is suggesting another line.

Mr. Grossman: Any other.

Presiding Inspector: I will allow him to add anything else.

(Testimony of Harry Renton Bridges.)

A. Yes: One of the worst complaints that the men had was the method of hiring. They were required to congregate every morning at six o'clock or seven o'clock on the sidewalks on the waterfront in front of the Ferry Building and then they would be selected by the straw boss or gang foremen who would pick them up in a gang and take them to work. And it placed such amount of power in the hands of a petty foreman that he could exploit the men in many ways and did; collect part of their pay on percentage for giving them a job, require that they purchase liquor at this, that or the other place, and such things as that. So, one of the deep-seated complaints of the men was the method of hiring and the discrimination allowed and all the abuses that went along with it.

Q. Was an expression commonly used to describe this [5349] method of hiring?

A. The "shape-up".

Q. What were the other grievances of any of the men that contributed to the development of the 1934 strike?

A. The "speed-up". The speed-up in the way that the speed that the men were forced to physically work at, eliminating a certain amount of the men from a job and, therefore, requiring a smaller number of men to do the work; the amount of tonnage handled by the men, so much per man per hour; the hazards, the safety, or the hazards that such operations brought about that resulted in num-

(Testimony of Harry Renton Bridges.)

erous injuries and deaths. And, well, I would say that about covers that.

Q. Was there a problem of an alleged—withdraw that. I will put it this way:

Did the men have any grievances based upon their allegation that a company union or some company unions were operating on the waterfront before the 1934 strike?

Mr. Del Guercio: I will object to that as being suggestive and leading.

Mr. Grossman: Of course it is suggestive.

Presiding Inspector: I will take it. It is merely directing his attention.

Mr. Grossman: It is quite obvious that Mr. Bridges knows more about this situation than I do.

[5350]

Mr. Del Guercio: We don't question that.

A. The Company Union was the apparatus through which the employers continued and increased the speed-up, prevented any organized protest or organized opposition to the various complaints, and was also the apparatus by which the petty graft was carried on against the men on the waterfront. [5351]

By Mr. Grossman:

Q. What was the name of the Company Union?

Mr. Del Guercio: I cannot hear counsel.

By Mr. Grossman:

Q. What was the name of the Company Union?

A. I am not quite sure of the technical name,

(Testimony of Harry Renton Bridges.)

but I think it was the San Francisco Longshoremen's Association. It was widely known by the men on the waterfront as the Blue Book.

Presiding Inspector: Blue Book?

The Witness: Yes. It came about because the union book required to be carried was blue in color.

By Mr. Grossman:

Q. You said you were required to carry this blue book. What was the basis for that statement?

A. They had a complete closed shop, and if you didn't have one you didn't work except on the two or three docks that I have mentioned.

Q. Did dues have to be paid into the union to remain a member?

A. Yes.

Q. How much were the dues?

A. 75 cents a month and assessments occasionally.

Q. During what period of time did the Blue Book Union function? [5352]

A. All the time I was on the waterfront. It was already operating on the waterfront when I first started to work and it was not put out of existence until October 1933.

Q. What put it out of existence in October 1933, if you know?

A. The International Longshoremen's Association.

Q. Did the Blue Book Union ever do anything at all to improve the working conditions of the longshoremen?

(Testimony of Harry Renton Bridges.)

A. Not a thing to my knowledge.

Q. Can you state what the average earnings of longshoremen were on the San Francisco waterfront before the 1934 strike? A. \$15.00—

Mr. Del Guercio: (Interposing) I object, if your Honor please, to the question as not being material or adding anything to any issue in this case.

Presiding Inspector: I think I will take it. But wouldn't it be better to give it by the hour?

Mr. Grossman: I don't think that would be a fair test. Mr. Bridges can explain it.

Presiding Inspector: If Mr. Bridges knows how much the average longshoreman worked, I suppose—

Mr. Grossman: (Interposing) We will give it both by the hour—both the total average earnings and what the men earned by the hourly wage. [5353]

By Mr. Grossman:

Q. What were the average hourly wages for longshore work in San Francisco before the strike?

A. 85 cents an hour. But that represented a 10 cent an hour increase that was received on account of the organization of the union. Prior to the union organizing, and receiving this gratuitous increase, which was given to try and block the organization of the union, the wages were 75 cents an hour. But the hourly wages meant nothing. You could not compute earnings on the basis of hourly wages.

(Testimony of Harry Renton Bridges.)

Mr. Del Guercio: I will object to that as the witness'—

Presiding Inspector: I think I will take it.

Mr. Grossman: It is in the interest of saving time.

Mr. Del Guercio: We are not saving time by going into all these matters.

Presiding Inspector: This was all gone into in the other case.

By Mr. Grossman:

Q. Why do you say, Mr. Bridges, that the hourly wage didn't mean anything?

A. You can get \$10.00 an hour, but if you don't get an hour's work you don't make anything. It is the work that counts. The work on the waterfront is casual labor. It is a high hourly rate, it is true, because of the casualness of the work. But what you have to supply is first work and then a sufficient amount of money to pay you for that work.

[5354]

The operations, or the method of operating at that time, and the way the men were hired, why you could go two or three weeks, or a month, without work, and then make \$50.00 a week, and then spread it out over the whole month, which made the average wage of all the longshoremen at that time between \$10 and \$15 a week.

Mr. Del Guercio: If your Honor please, I move to strike out the witness' answer. Let us have an understanding right here as to whether or not this is going to be an opportunity here for the witness

(Testimony of Harry Renton Bridges.)

here to expound his theories, or whether we are going to confine ourselves to the issues here. We don't mind listening to Mr. Bridges but——

Presiding Inspector: I know what the issues are. I will take this.

Mr. Grossman: I don't wish there to be any misunderstanding. It is definitely our theory that it is quite appropriate for Mr. Bridges to expound his theories, because I don't have to explain why that is relevant to this case. Mr. Bridges is the one, whether this is a hearing or trial—nevertheless, Mr. Bridges is here in the dock and——

Presiding Inspector: Aren't you in agreement with the ruling that I have just made?

Mr. Grossman: Yes, but I want to make this clear.

Presiding Inspector: I don't think I would argue it.

Mr. Grossman: From now on we expect to go into all Mr. [5355] Bridges' theories.

The Witness: May I say, I am speaking from statistics and figures I have in mind.

Mr. Del Guercio: Is there a question pending?

Presiding Inspector: No; yet.

By Mr. Grossman:

Q. What union was it that being organized caused the 10 cents an hour wage raise?

A. The International Longshoremen's Association.

Q. And as of what time was that?

(Testimony of Harry Renton Bridges.)

A. Chartered in June, 1933, by the American Federation of Labor and the ILA International.

Presiding Inspector: Could you give us how many men there were working as longshoremen on the waterfront at that time?

The Witness: It changed, your Honor. It used to be a habit at that time that everybody in the city almost, when they were looking for a job for a few days, they naturally seemed to get down to the waterfront. The number of men working changed and it would be anywhere from between 3000 and 5000; even though there might only be, the way this thing was handled, there might only be jobs as of a certain date for as many as 800, 900, or 1500.

By Mr. Grossman:

Q. Was there a demand during the 1934 strike for a union [5356] hiring hall?

A. That was the main demand; finally the sole remaining demand.

Q. What were the conditions, if any, that caused the men to raise that economic demand?

A. For the purpose of equalizing—

Mr. Del Guercio: (Interrupting) I object to the question.

Presiding Inspector: Haven't you been over that?

Mr. Grossman: This is one of the things that led up to it.

Presiding Inspector: I will take it. I think this witness is entitled to give his theories as meeting the entire case of Communist affiliation, or mem-

(Testimony of Harry Renton Bridges.)

bership activities, made by the Government. I am going to rule with great liberality on allowing him to give his whole story in this hearing.

A. The demands for the strike were four in number. They were dropped one by one as the strike went on, except there was only one demand left, and that was for a union hiring hall.

The purpose of the demand for the union hiring hall was for an equal distribution of the work; in other words, that the work, available work, would be distributed in such a way that all the men engaged in the industry over some period of time, providing they qualified as having worked a major part [5357] of their time in the longshore industry, were entitled to a living. The basis of the hiring hall was to so distribute the available work to meet the needs of the port, that is, to load the ships, and at the same time assure some measure of a living to all the men in the industry.

By Mr. Grossman:

Q. Were the earnings of longshoremen unequal before the 1934 strike?

Mr. Del Guercio: I can't hear.

By Mr. Grossman:

Q. Were the earnings of the longshoremen unequal before the 1934 strike? A. They were.

Q. Will you give some examples?

A. The bulk of the men, a group of men, what they called star or preferred men, numbering between 900 and 1300, made good money. They would

(Testimony of Harry Renton Bridges.)

average between \$40.00 and up to \$70.00 a week. The other 2500 or 3000 men filled in, got casual jobs here and there, and their average wage could be all the way between \$8.00 and \$20.00 a week.

Q. Were any attempts made to organize—withdraw that. What attempts were made to organize non-Company unions while you were working as a longshoreman on the waterfront until 1933?

A. One attempt was made in 1924. The union grew to [5358] approximately 500 men. That was also a local of the ILA. Four of the five hundred turned out in the 1924 Labor Day parade and the Company Union agents listed all of them and blacklisted most of them, and that ended that attempt for some time to come.

Later on, for a while, around 1926 or 1927, the IWW made an abortive attempt to organize, but didn't get very far.

They didn't get anywhere, as far as I recall, until in 1928, when there was an attempt to affiliate, and there was actual technical affiliation, to some degree, which did take effect, of the Company Union, or the Blue Book Union, to the American Federation of Labor.

However, the majority of the men on the waterfront were opposed to that, when it was made clear to them, and they voted against it.

Outside of those attempts there were no others. Well, there was the Marine Workers Industrial Union which, in 1932, attempted to organize the waterfront.

(Testimony of Harry Renton Bridges.)

But none of these attempts, outside of what I stated, came to anything. The most successful was the one in 1924 when they grew to a membership of around 500.

Q. You mentioned one example of discrimination against the men parading in 1924. Were there any other examples of discrimination during this period for union membership or union activity?

[5359]

A. Numerous ones. There were frequent occurrences where a man would be blacklisted along the entire waterfront; plenty of them. I can't remember the names of the fellows off-hand, but there were quite a few for different reasons.

Q. Can you state why the ILA was not well organized on the waterfront before 1933?

A. Before 1933?

Q. Yes.

A. Well, they had to overcome the very effective organization and the contracts of the Company Union. The employers were in full control. They had full control of the jobs. If they didn't want you, you didn't work. They operated under this Company Union with this contract, and they were successful and able to head off and smash any proper organization.

Q. During the time that you were a longshoreman, up to 1933, were the seamen well organized, that is, the seamen that sailed in and out of the Port of San Francisco?

(Testimony of Harry Renton Bridges.)

A. No. The seamen remained practically unorganized after the breaking of the 1921 strike until after the 1934 strike.

Q. Were any of the waterfront workers well organized during that period? A. No.

Q. Will you please describe the beginnings of the [5360] organization into the ILA in 1933?

Mr. Del Guercio: Just a minute. What is the question?

(The question referred to was read by the reporter as above recorded.)

A. Organizing the ILA followed the advent of the NRA. However, at that time conditions had reached a low point where everybody was pretty desperate. Everybody had reached a point where they practically had nothing to lose any more and they were willing to take a chance on anything. There had been a lot of agitation on the waterfront, at least, a little agitation, for a couple of years past.

The Communist Party was on the waterfront in 1931 and 1932. That is the earliest I can recall them.

There were some IWW organizers around at that time.

Then there was the Marine Workers Industrial Union.

They were all distributing literature on the waterfront. Occasionally, and more or less regularly, there were speakers of the three groups.

All of this agitation had some effect because they

(Testimony of Harry Renton Bridges.)

had a fertile field to work in. It educated the men to some degree. Therefore, the ground work had been well prepared when the NRA came along and the men flocked into the ILA practically overnight. The other groups didn't make much headway. Everybody was sympathetic to them. They spoke the language of the waterfront workers in so far as an attack on conditions was concerned. [5361]

Q. Who spoke the language of the waterfront workers?

A. The various groups, the "Wobblies," that is, the IWW, the Marine Workers Industrial Union, the Communists—they all got a sympathetic ear. Anybody that would come down to the waterfront and attack the Blue Book, they talked everybody's language. They didn't have to agree with them on that. It was the same with the Marine Workers Industrial Union and the same with the IWW. When they spoke against the bad conditions, when they spoke against the shape-up, when they spoke against the graft and the chiseling and the corruption, everybody agreed with them and that they were telling the truth. What they didn't have was a concrete program for the placing of workers on the waterfront. That was all.

Q. What part did you play in the organization of the ILA in 1933?

A. I was one of the people on the waterfront that advocated the men joining the union. I simply played the part, at first, as an ordinary rank and file worker, and then a month or six weeks after the

(Testimony of Harry Renton Bridges.)

whole matter got rolling I started, to the best of my ability, a movement to see that the union would be publicly established on a democratic basis.

For that reason a few of us organized a committee that we called the Committee of 500, and we distributed a leaflet demanding immediate elections, and an immediate adoption of the constitution, and immediate meetings of the membership [5362] so we could start to discuss union problems. We were having some difficulty along that line. That was around July 1933 when we eventually got the meetings and eventually the constitution was adopted, and we held our first election.

Q. What difficulties were you having?

A. The local A. F. of L., American Federation of Labor, officials at that time were still trying to support the Company Union. They had declared our union not—

Mr. Del Guercio: (Interposing) Do I understand the witness is stating what difficulties he was having, or the group that was forming the ILA was having?

Presiding Inspector: I don't know. Let me hear the question.

(The question referred to was read by the reporter as above recorded.)

Presiding Inspector: What do you mean by that, "you"?

Mr. Grossman: Well, Mr. Bridges had already stated that when they set up this Committee of 500 it was because they were having some difficulty.

(Testimony of Harry Renton Bridges.)

Presiding Inspector: You mean the whole group?

By Mr. Grossman:

Q. You used the expression, when you were referring to the Committee of 500, you stated you had been having some difficulty. Please explain that statement.

A. The union was organized and chartered. There was quite a struggle to get the charter. The San Francisco [5363] American Federation of Labor Council protested the granting of the charter. They branded us as a group of up-starts and stated that the proper organization to receive the charter was this Company Union that had maintained peaceful industrial relations to the employers for the past fourteen years.

Paul Seharrenberg, the Secretary of the State Federation, also protested the granting of the charter and demanded that it be removed.

So we, first of all, had a struggle against the regular labor officialdom at that time to even get a charter for this new group of workers. These officials wished to charter the Company Union, and maintained the same apparatus, the same structure, the same officials. All we get out of it was the payment of more dues.

So that was our first job.

However, after we got over the charter fight then the union was just lining up more members. There was no accounting of funds. We didn't know where

(Testimony of Harry Renton Bridges.)

we stood in that respect. Some of our officials we definitely did not trust. They were incompetent and untrustworthy in our opinion. There were no union meetings. There was no organized union forum in any way.

So our first demands were to immediately call a union meeting to properly initiate the members, to establish some kind of temporary officialdom by means of an election, instead of each person being self-appointed as was the case [5364] at that time.

Eventually union meetings took place. Temporary officials were elected, and certain steps were taken to account for the funds, and so forth.

Then the next difficulty was to have a constitution adopted. We were functioning without a constitution. This left a small group of self-appointed officials, mainly consisting of people that were not even longshoremen, but city politicians, who were telling us what should be done, and saying "Leave everything to us. We will give you this, that and the other thing." Of course, we knew better.

The next move was to have the union officially adopt a constitution and officially have regular elections by secret ballot.

That was eventually accomplished around August.

By Mr. Grossman:

Q. After that—

Mr. Del Guercio: Just a moment.

(Whereupon Mr. Del Guercio conferred with the Presiding Inspector.)

(Testimony of Harry Renton Bridges.)

Presiding Inspector: We will adjourn promptly at half-past twelve.

By Mr. Grossman:

Q. After this was done was there any general dissatisfaction among the men with the leadership of the union and the [5365] way it was functioning?

A. There was.

Q. Will you explain that, please?

Mr. Del Guercio: If your Honor please, instead of having an explanation, I think that questions ought to be asked.

Presiding Inspector: Of course, that would be the usual method, but as this is probably going to be a long examination I think we can take it that way. You will have full opportunity to go into this.

Mr. Grossman: It would be the tail wagging the dog.

Mr. Del Guercio: I only have in mind expediting the hearing.

Presiding Inspector: Of course, I may be wrong and you may be right, but I think we will better expedite the hearing by letting him tell his story.

By Mr. Grossman:

Q. Will you explain that?

A. We had a regular election, elected officials, adopted a constitution, and elected an executive Committee.

Then the next step, of course, was to accomplish something with the union in the way of negotiations.

(Testimony of Harry Renton Bridges.)

for a better agreement. Nothing was being done along that line. The union officials were still telling us that, through their political friends, and through the NRA, we could get everything without having to do very much about it; that for us to keep [5366] on working and they would take care of everything.

There were quite a few of us, possibly from past bitter experience, that didn't believe all this.

Shortly after the elections discrimination began all over again. The Company Union was still functioning. There was no real attempt made to put the Company Union out of existence.

It shortly developed that a meeting, or a hearing, was held of the Company Union by the officials of the NRA at that time, or an appointed committee; the Secretary of the San Francisco Labor Council, a Rabbi—I forget his name—and a Mr. Pettus, I think, who was a member of business. In other words, the Committee was supposed to be composed of one from labor, one from business, and one from the public at large. The Rabbi represented the public at large. Mr. Pettus represented the business groups, and John O'Connell, of the Labor Council, represented the San Francisco Labor Council.

Mr. George Creel, at that time Regional Officer of the NRA, was Chairman.

Their decision was that the Company Union was a bona fide organization with a closed shop contract, and we had to belong to it to work on the waterfront.

(Testimony of Harry Renton Bridges.)

Something had to be done about that.

On the basis of that decision the discrimination started all over again. They were told to take off their union buttons or they would be fired. [5367]

This eventually developed into a show-down on the Matson Dock in a strike in October, 1935.

Q. What year was it that strike took place?

A: October 1933. I made a mistake when I said "1935."

As a result of that strike, and the winning of the strike, that particular dock—this was a five day strike, if I remember correctly—we finally eliminated and started a real drive, offensive, against the Company Union, and we eliminated it forever—I hope.

Presiding Inspector: Before that time had you belonged, the men, to both the Company Union and the new union?

The Witness: That was the difficulty we were having. The men were still keeping the Company Union books. They were afraid not to because they had to show that book to get a job. If they showed the other book, or at many docks if there was even a suspicion of a man having the other book, they were discharged.

Mr. Del Guercio: I move his answer be stricken and that he confine himself to answering the questions that are asked.

Presiding Inspector: I think that he went beyond the question, of course.

(Testimony of Harry Renton Bridges.)

Mr. Grossman: He anticipated the next question; that is all.

Presiding Inspector: I think it is pertinent. I will let [5368] it stand.

By Mr. Grossman:

Q. Was there any work in any group done outside of the union to develop union activities?

A. Outside of the union?

Q. Yes. A. No.

Q. Was there a group, which has been called the Albion Hall group, functioning about this same time?

A. That started to function—yes, that started to function. The Albion Hall group was really the Committee of 500, and it started to function somewhere around July or August 1933.

Q. Will you please explain how this group came into existence and why?

A. I organized the group, to have proper organization on the floor of the meeting, and put an end to this disruption in the meeting, to throw out of the meeting some of the city politicians that took up our time and did nothing for us, and to see that there was proper organization in that union and proper democratic control. We used to meet as a group in Albion Hall.

We only had two fundamental rules: One, that every member of the group had to be a working longshoreman and a member of the union; second, that all programs adopted by the group had to be

(Testimony of Harry Renton Bridges.)

submitted to the union floor and adopted by a [5369] majority vote on the union floor.

Q. About how many people participated in the Albion Hall group?

A. Anywhere from between 10 to 30.

Q. Were they the same people week in and week out?

A. Generally, yes; but some dropped out and new ones were added.

Q. Were they all members of the ILA of your local?

A. Every one of them.

Q. For what period of time did this group function?

A. As far as I know, up to, at least, up to the 1934 strike. I don't recall that during the strike or after the strike.

Q. When the group was first formed did it function secretly or openly?

A. More or less secretly.

Q. Was its existence mentioned in the meetings of the Union at first?

A. Not at first, no; later on; yes. It came to be pretty well known because certain people dropped out, and disagreed, and we didn't make any particular bones about it. We openly proclaimed that we were going to organize that union and we were going to give the officialdom and their friends some good solid organized opposition from the floor of the meetings, and we did.

Q. Did members of this Albion Hall group at any time [5370] state openly in the meetings of the

(Testimony of Harry Renton Bridges.)
union that they were members and what the decisions of that Albion Hall group were?

A. Yes.

Presiding Inspector: I think we will stop right here until two o'clock.

(Whereupon, at 12:30 o'clock p.m. a recess was taken until 2:00 o'clock p.m. of the same day.) [5371]